

**No. 41**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2009**

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House Chamber, Lansing, Wednesday, May 13, 2009.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Deb Kennedy, from the 23rd District, offered the following invocation:

“O good and gracious God, we gather today with grateful hearts – grateful for Your beautiful spring creation, grateful for our wonderful state of Michigan, grateful for the opportunity to serve the people of our districts, and grateful for each and every person here.

We thank You for the leaders in this room, and ask that we may be ever mindful of the diversity of people we serve, for all are seen equal in Your eyes.

Help us to live by the Golden Rule, the basic law of all faiths, and do unto others as we would have them do unto us. Help us to discern Your greater will, and at all times guide our thoughts, words and deeds. Amen.”

Rep. Segal moved that Reps. Donigan and Jackson be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### 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 second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 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.

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

#### Roll Call No. 222

#### Yeas—63

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

## Nays—44

Agema	Genetski	Kurtz	Pavlov
Amash	Green	LeBlanc	Pearce
Bennett	Griffin	Lori	Proos
Bolger	Hammel	Lund	Schmidt, W.
Booher	Hansen	Marleau	Schuitmaker
Calley	Haveman	McMillin	Sheltrown
Caul	Hildenbrand	Meekhof	Simpson
Crawford	Horn	Meltzer	Spade
Daley	Jones, Rick	Moore	Stamas
Denby	Knollenberg	Moss	Tyler
Elsenheimer	Kowall	Opsommer	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.

The EPA already has the ability to ban toxic substances and make sure they are not used in children’s toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s 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:

Vote Explanation

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork

of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.

The EPA already has the ability to ban toxic substances and make sure they are not used in children's toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time."

Rep. Kowall, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

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The EPA already has the ability to ban toxic substances and make sure they are not used in children's toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

### Second Reading of Bills

#### 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.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 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.

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

#### Roll Call No. 223

#### Yeas—63

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

#### Nays—44

Agema	Genetski	Kurtz	Pavlov
Amash	Green	LeBlanc	Pearce
Bennett	Griffin	Lori	Proos
Bolger	Hammel	Lund	Rogers
Booher	Hansen	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Simpson
Crawford	Horn	Meltzer	Spade
Daley	Jones, Rick	Moore	Stamas
Denby	Knollenberg	Moss	Tyler
Elsenheimer	Kowall	Opsommer	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Lisa Brown, Byrum, Gregory, Haugh, Robert Jones, Lemmons, Lipton, Roberts, Stanley and Switalski were named co-sponsors of the bill.

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Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.

The EPA already has the ability to ban toxic substances and make sure they are not used in children’s toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s economy.”

Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

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Rep. Kowall, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

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The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

### Second Reading of Bills

#### 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.

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

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

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

The motion prevailed.

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

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

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Rep. Cushingberry entered the House Chambers.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### 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.

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

#### Roll Call No. 224

#### Yeas—63

Angerer	Dillon	Lahti	Schmidt, R.
Ball	Durhal	Leland	Scott, B.
Barnett	Ebli	Lemmons	Scott, P.
Bauer	Espinoza	Lindberg	Scripps
Bledsoe	Geiss	Lipton	Segal
Brown, L.	Gonzales	Liss	Slavens
Brown, T.	Gregory	McDowell	Slezak
Byrnes	Haase	Meadows	Smith
Byrum	Haines	Melton	Stanley
Clemente	Hansen	Miller	Switalski
Constan	Haugh	Nathan	Tlaib

Corriveau	Huckleberry	Nerat	Valentine
Coulouris	Johnson	Neumann	Warren
Cushingberry	Jones, Robert	Polidori	Womack
Dean	Kandreas	Roberts	Young
DeShazor	Kennedy	Rocca	

#### Nays—45

Agema	Green	Lori	Pearce
Amash	Griffin	Lund	Proos
Bennett	Hammel	Marleau	Rogers
Bolger	Haveman	Mayes	Schmidt, W.
Booher	Hildenbrand	McMillin	Schuitmaker
Calley	Horn	Meekhof	Sheltrown
Caul	Jones, Rick	Meltzer	Simpson
Crawford	Knollenberg	Moore	Spade
Daley	Kowall	Moss	Stamas
Denby	Kurtz	Opsommer	Tyler
Elsenheimer	LeBlanc	Pavlov	Walsh
Genetski			

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Lisa Brown, Terry Brown, Byrum, Durhal, Espinoza, Gonzales, Haugh, Robert Jones, Lemmons, Nathan, Polidori, Roberts, Smith, Switalski, Tlaib, Womack and Young were named co-sponsors of the bill.

Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.

The EPA already has the ability to ban toxic substances and make sure they are not used in children’s toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s economy.”



Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.”

Rep. Kowall, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

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The EPA already has the ability to ban toxic substances and make sure they are not used in children’s toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s economy.”

### Second Reading of Bills

#### 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.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### 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.

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

**Roll Call No. 225****Yeas—63**

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

**Nays—45**

Agema	Green	LeBlanc	Pearce
Amash	Griffin	Lori	Proos
Bennett	Hammel	Lund	Rogers
Bolger	Hansen	Marleau	Schmidt, W.
Booher	Haveman	McMillin	Schuitmaker
Calley	Hildenbrand	Meekhof	Sheltrown
Caul	Horn	Meltzer	Simpson
Crawford	Jones, Rick	Moore	Spade
Daley	Knollenberg	Moss	Stamas
Denby	Kowall	Opsommer	Tyler
Elsenheimer	Kurtz	Pavlov	Walsh
Genetski			

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Lisa Brown, Terry Brown, Byrum, Durhal, Espinoza, Gonzales, Haugh, Robert Jones, Lipton, Melton, Nathan, Polidori, Smith, Switalski and Tlaib were named co-sponsors of the bill.

Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

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Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time."

Rep. Kowall, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

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The EPA already has the ability to ban toxic substances and make sure they are not used in children's toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

### Second Reading of Bills

#### 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.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4767, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5496.

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

#### Roll Call No. 226

#### Yeas—72

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

#### Nays—36

Agema	Elsenheimer	Kurtz	Opsommer
Amash	Genetski	Lori	Pavlov
Bolger	Green	Lund	Proos
Booher	Griffin	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Simpson
Clemente	Horn	Meltzer	Stamas
Crawford	Jones, Rick	Moore	Tyler
Daley	Knollenberg	Moss	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Lisa Brown, Terry Brown, Byrum, Espinoza, Gonzales, Haugh, Johnson, Nathan, Roberts, Spade and Switalski were named co-sponsors of the bill.

Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.

The EPA already has the ability to ban toxic substances and make sure they are not used in children’s toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s economy.”

Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.”

### **Second Reading of Bills**

#### **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 second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 4768, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5497. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 227****Yeas—64**

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

**Nays—44**

Agema	Elsenheimer	Kurtz	Pavlov
Amash	Genetski	LeBlanc	Pearce
Bennett	Green	Lori	Proos
Bolger	Griffin	Lund	Rogers
Booher	Hammel	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Simpson
Clemente	Horn	Meltzer	Spade
Crawford	Jones, Rick	Moore	Stamas
Daley	Knollenberg	Moss	Tyler
Denby	Kowall	Opsommer	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Lisa Brown, Terry Brown, Byrum, Espinoza, Gonzales, Haugh, Johnson, Robert Jones, Melton, Nathan, Roberts, Switalski and Young were named co-sponsors of the bill.

Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.

The EPA already has the ability to ban toxic substances and make sure they are not used in children's toys. The proper solution is to continue working with the president and Congress to fix the problem at the federal level, which will actually block toxic toys from being sold, instead of creating another layer of burdensome regulations making it even harder to do business or create jobs in Michigan.

The fact that this legislation allows exemptions for foods that a child may actually ingest and tobacco products that will expose them to second-hand smoke proves that this legislation is more about scoring political points than it is about protecting children.

Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time."

Rep. Kowall, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

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Claiming to do something 'for the children' is one of the oldest tricks in the politicians' playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan's economy."

## Second Reading of Bills

### 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.

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

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

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

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

**House Bill No. 4769, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5498.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 228**

**Yeas—64**

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

**Nays—44**

Agema	Genetski	Kurtz	Pavlov
Amash	Green	LeBlanc	Pearce
Bennett	Griffin	Lori	Proos
Bolger	Hammel	Lund	Rogers
Booher	Hansen	Marleau	Schmidt, W.
Calley	Haveman	McMillin	Schuitmaker
Caul	Hildenbrand	Meekhof	Sheltrown
Crawford	Horn	Meltzer	Simpson
Daley	Jones, Rick	Moore	Stamas
Denby	Knollenberg	Moss	Tyler
Elsenheimer	Kowall	Opsommer	Walsh

In The Chair: Byrnes

The House agreed to the title of the bill.  
Rep. Segal moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.  
Reps. Barnett, Lisa Brown, Terry Brown, Byrum, Durhal, Gonzales, Haugh, Johnson, Robert Jones, Lipton, Nathan, Roberts, Smith and Tlaib were named co-sponsors of the bill.



Rep. Hildenbrand, 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:

After carefully studying this issue, I have arrived at the conclusion that this legislation as currently written will do absolutely nothing to make sure toys are safe. Instead of going after violators, the legislation creates a confusing patchwork of bureaucratic regulations and reporting requirements that will generate a lot of paperwork, but will fail to keep toxic toys out of the toy box.

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Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s economy.”

Rep. Schuitmaker, 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

HB 4763-4769 (Toxic Toys)

Michigan is losing 1,000 jobs a day. Rather than working to fix our economy, Democrats are actively making it worse by introducing politically-charged bills that do nothing to lower our unemployment rate but instead create even more regulations that will drive away jobs and businesses.

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Two other states considering similar legislation pegged the cost at more than \$500,000 per year. Considering the governor just proposed firing 100 state police troopers to save money in the budget, I do not believe we can afford this expense at this time.”

Rep. Kowall, 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

HB 4763-4769 (Toxic Toys)

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Claiming to do something ‘for the children’ is one of the oldest tricks in the politicians’ playbook, but grandstanding does not solve real problems. Unfortunately, rather than work in a bipartisan manner, lawmakers chose to ram this flawed legislation through the House instead of working to fix Michigan’s economy.”

By unanimous consent the House returned to the order of  
**Reports of Select Committees**

### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 4453, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending the title and section 3204 (MCL 600.3204), the title as amended by 1999 PA 239 and section 3204 as amended by 2004 PA 186, and by adding section 3205.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending the title and section 3204 (MCL 600.3204), the title as amended by 1999 PA 239 and section 3204 as amended by 2004 PA 186, and by adding section 3205.

#### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

##### TITLE

An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of ~~such~~**THE** courts, and of the judges and other officers ~~thereof~~**OF THE COURTS**; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in ~~said~~**THE** courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in ~~said~~**THE** courts; **TO PROVIDE FOR THE POWERS AND DUTIES OF CERTAIN STATE GOVERNMENTAL OFFICERS AND ENTITIES**; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.

Sec. 3204. (1) ~~A~~**SUBJECT TO SUBSECTION (4)**, A party may foreclose a mortgage by advertisement if all of the following circumstances exist:

(a) A default in a condition of the mortgage has occurred, by which the power to sell became operative.

(b) An action or proceeding has not been instituted, at law, to recover the debt secured by the mortgage or any part of the mortgage; or, if an action or proceeding has been instituted, the action or proceeding has been discontinued; or an execution on a judgment rendered in an action or proceeding has been returned unsatisfied, in whole or in part.

(c) The mortgage containing the power of sale has been properly recorded.

(d) The party foreclosing the mortgage is either the owner of the indebtedness or of an interest in the indebtedness secured by the mortgage or the servicing agent of the mortgage.

(2) If a mortgage is given to secure the payment of money by installments, each of the installments mentioned in the mortgage after the first shall be treated as a separate and independent mortgage. The mortgage for each of the installments may be foreclosed in the same manner and with the same effect as if a separate mortgage were given for each subsequent installment. A redemption of a sale by the mortgagor has the same effect as if the sale for the installment had been made upon an independent prior mortgage.

(3) If the party foreclosing a mortgage by advertisement is not the original mortgagee, a record chain of title shall exist prior to the date of sale under section 3216 evidencing the assignment of the mortgage to the party foreclosing the mortgage.

**(4) A PARTY SHALL NOT COMMENCE PROCEEDINGS UNDER THIS CHAPTER TO FORECLOSE A MORTGAGE OF PROPERTY DESCRIBED IN SECTION 3205A(1) IF 1 OR MORE OF THE FOLLOWING APPLY:**

**(A) NOTICE HAS NOT BEEN MAILED TO THE MORTGAGOR AS REQUIRED BY SECTION 3205A.**

**(B) AFTER A NOTICE IS MAILED TO THE MORTGAGOR UNDER SECTION 3205A, THE TIME FOR A HOUSING COUNSELOR TO NOTIFY THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) OF A REQUEST BY THE MORTGAGOR UNDER SECTION 3205B(1) HAS NOT EXPIRED.**

**(C) WITHIN 14 DAYS AFTER A NOTICE IS MAILED TO THE MORTGAGOR UNDER SECTION 3205A, THE MORTGAGOR HAS REQUESTED A MEETING UNDER SECTION 3205B WITH THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) AND 90 DAYS HAVE NOT PASSED AFTER THE NOTICE WAS MAILED.**

**(D) THE MORTGAGOR HAS REQUESTED A MEETING UNDER SECTION 3205B WITH THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C), THE MORTGAGOR HAS PROVIDED DOCUMENTS IF REQUESTED UNDER SECTION 3205B(2), AND THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) HAS NOT MET OR NEGOTIATED WITH THE MORTGAGOR UNDER THIS CHAPTER.**

**(E) THE MORTGAGOR AND MORTGAGEE HAVE AGREED TO MODIFY THE MORTGAGE LOAN AND THE MORTGAGOR IS NOT IN DEFAULT UNDER THE MODIFIED AGREEMENT.**

**(F) CALCULATIONS UNDER SECTION 3205C(1) SHOW THAT THE MORTGAGOR IS ELIGIBLE FOR A LOAN MODIFICATION AND FORECLOSURE UNDER THIS CHAPTER IS NOT ALLOWED UNDER SECTION 3205C(7).**

**(5) SUBSECTION (4) APPLIES ONLY TO PROCEEDINGS UNDER THIS CHAPTER IN WHICH THE FIRST NOTICE UNDER SECTION 3208 IS PUBLISHED AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION AND BEFORE 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.**

**SEC. 3205. AS USED IN THIS SECTION AND SECTIONS 3205A TO 3205D:**

**(A) "BORROWER" MEANS THE MORTGAGOR.**

**(B) "MORTGAGE HOLDER" MEANS THE OWNER OF THE INDEBTEDNESS OR OF AN INTEREST IN THE INDEBTEDNESS THAT IS SECURED BY THE MORTGAGE.**

**(C) "MORTGAGE SERVICER" MEANS THE SERVICING AGENT OF THE MORTGAGE.**

Enacting section 1. This amendatory act takes effect 45 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

(a) House Bill No. 4454.

(b) House Bill No. 4455.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending the title and section 3204 (MCL 600.3204), the title as amended by 1999 PA 239 and section 3204 as amended by 2004 PA 186, and by adding section 3205.

Andy Coulouris  
 Bert Johnson  
 Brian Calley  
 Conferees for the House

Randy Richardville  
 Alan Sanborn  
 Tupac Hunter  
 Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Segal moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 229**

**Yeas—94**

Angerer	Espinoza	Lindberg	Rocca
Ball	Geiss	Lipton	Schmidt, R.
Barnett	Gonzales	Liss	Schuitmaker
Bauer	Green	Lori	Scott, B.
Bennett	Gregory	Lund	Scott, P.
Bledsoe	Griffin	Marleau	Scripps

Bolger	Haase	Mayes	Segal
Brown, L.	Haines	McDowell	Sheltrown
Brown, T.	Hammel	Meadows	Simpson
Byrnes	Hansen	Melton	Slavens
Byrum	Haugh	Meltzer	Slezak
Calley	Hildenbrand	Miller	Smith
Clemente	Horn	Moore	Spade
Constan	Huckleberry	Moss	Stamas
Corriveau	Johnson	Nathan	Stanley
Coulouris	Jones, Rick	Nerat	Switalski
Cushingberry	Jones, Robert	Neumann	Tlaib
Daley	Kandrevas	Opsommer	Tyler
Dean	Kennedy	Pavlov	Valentine
DeShazor	Kowall	Pearce	Walsh
Dillon	Lahti	Polidori	Warren
Durhal	LeBlanc	Proos	Womack
Ebli	Leland	Roberts	Young
Elsenheimer	Lemmons		

#### Nays—14

Agema	Crawford	Knollenberg	Meekhof
Amash	Denby	Kurtz	Rogers
Booher	Genetski	McMillin	Schmidt, W.
Caul	Haveman		

In The Chair: Byrnes

#### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 4454, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding sections 3205a and 3205b.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding sections 3205a and 3205b.

#### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

**SEC. 3205A. (1) SUBJECT TO SUBSECTION (6), BEFORE PROCEEDING WITH A SALE UNDER THIS CHAPTER OF PROPERTY CLAIMED AS A PRINCIPAL RESIDENCE EXEMPT FROM TAX UNDER SECTION 7CC OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.7CC, THE FORECLOSING PARTY SHALL SERVE A WRITTEN NOTICE ON THE BORROWER THAT CONTAINS ALL OF THE FOLLOWING INFORMATION:**

**(A) THE REASONS THAT THE MORTGAGE LOAN IS IN DEFAULT AND THE AMOUNT THAT IS DUE AND OWING UNDER THE MORTGAGE LOAN.**

**(B) THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF THE MORTGAGE HOLDER, THE MORTGAGE SERVICER, OR ANY AGENT DESIGNATED BY THE MORTGAGE HOLDER OR MORTGAGE SERVICER.**

**(C) A DESIGNATION OF 1 OF THE PERSONS NAMED IN SUBDIVISION (B) AS THE PERSON TO CONTACT AND THAT HAS THE AUTHORITY TO MAKE AGREEMENTS UNDER SECTIONS 3205B AND 3205C.**

(D) THAT ENCLOSED WITH THE NOTICE IS A LIST OF HOUSING COUNSELORS PREPARED BY THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY AND THAT WITHIN 14 DAYS AFTER THE NOTICE IS SENT, THE BORROWER MAY REQUEST A MEETING WITH THE PERSON DESIGNATED UNDER SUBDIVISION (C) TO ATTEMPT TO WORK OUT A MODIFICATION OF THE MORTGAGE LOAN TO AVOID FORECLOSURE AND THAT THE BORROWER MAY ALSO REQUEST A HOUSING COUNSELOR TO ATTEND THE MEETING.

(E) THAT IF THE BORROWER REQUESTS A MEETING WITH THE PERSON DESIGNATED UNDER SUBDIVISION (C), FORECLOSURE PROCEEDINGS WILL NOT BE COMMENCED UNTIL 90 DAYS AFTER THE DATE THE NOTICE IS MAILED TO THE BORROWER.

(F) THAT IF THE BORROWER AND THE PERSON DESIGNATED UNDER SUBDIVISION (C) REACH AN AGREEMENT TO MODIFY THE MORTGAGE LOAN, THE MORTGAGE WILL NOT BE FORECLOSED IF THE BORROWER ABIDES BY THE TERMS OF THE AGREEMENT.

(G) THAT IF THE BORROWER AND THE PERSON DESIGNATED UNDER SUBDIVISION (C) DO NOT AGREE TO MODIFY THE MORTGAGE LOAN BUT IT IS DETERMINED THAT THE BORROWER MEETS CRITERIA FOR A MODIFICATION UNDER SECTION 3205C(1) AND FORECLOSURE UNDER THIS CHAPTER IS NOT ALLOWED UNDER SECTION 3205C(7), THE FORECLOSURE OF THE MORTGAGE WILL PROCEED BEFORE A JUDGE INSTEAD OF BY ADVERTISEMENT.

(H) THAT THE BORROWER HAS THE RIGHT TO CONTACT AN ATTORNEY, AND THE TELEPHONE NUMBERS OF THE STATE BAR OF MICHIGAN'S LAWYER REFERRAL SERVICE AND OF A LOCAL LEGAL AID OFFICE SERVING THE AREA IN WHICH THE PROPERTY IS SITUATED.

(2) A PERSON WHO SERVES A NOTICE UNDER SUBSECTION (1) SHALL ENCLOSE WITH THE NOTICE A LIST PREPARED BY THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY UNDER SECTION 3205D OF THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF HOUSING COUNSELORS APPROVED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OR THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

(3) A PERSON SHALL SERVE A NOTICE UNDER SUBSECTION (1) BY MAILING THE NOTICE BY REGULAR FIRST-CLASS MAIL AND BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, WITH DELIVERY RESTRICTED TO THE BORROWER, BOTH SENT TO THE BORROWER'S LAST KNOWN ADDRESS.

(4) WITHIN 7 DAYS AFTER MAILING A NOTICE UNDER SUBSECTION (3), THE PERSON WHO MAILES THE NOTICE SHALL PUBLISH A NOTICE INFORMING THE BORROWER OF THE BORROWER'S RIGHTS UNDER THIS SECTION. THE PERSON SHALL PUBLISH THE INFORMATION 1 TIME IN THE SAME MANNER AS IS REQUIRED FOR PUBLISHING A NOTICE OF FORECLOSURE SALE UNDER SECTION 3208. THE NOTICE UNDER THIS SUBSECTION SHALL CONTAIN ALL OF THE FOLLOWING INFORMATION:

(A) THE BORROWER'S NAME AND THE PROPERTY ADDRESS.

(B) A STATEMENT THAT INFORMS THE BORROWER OF ALL OF THE FOLLOWING:

(i) THAT THE BORROWER HAS THE RIGHT TO REQUEST A MEETING WITH THE MORTGAGE HOLDER OR MORTGAGE SERVICER.

(ii) THE NAME OF THE PERSON DESIGNATED UNDER SUBSECTION (1)(C) AS THE PERSON TO CONTACT AND THAT HAS THE AUTHORITY TO MAKE AGREEMENTS UNDER SECTIONS 3205B AND 3205C.

(iii) THAT THE BORROWER MAY CONTACT A HOUSING COUNSELOR BY VISITING THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY'S WEBSITE OR BY CALLING THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

(iv) THE WEBSITE ADDRESS AND TELEPHONE NUMBER OF THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

(v) THAT IF THE BORROWER REQUESTS A MEETING WITH THE PERSON DESIGNATED UNDER SUBSECTION (1)(C), FORECLOSURE PROCEEDINGS WILL NOT BE COMMENCED UNTIL 90 DAYS AFTER THE DATE NOTICE IS MAILED TO THE BORROWER.

(vi) THAT IF THE BORROWER AND THE PERSON DESIGNATED UNDER SUBSECTION (1)(C) REACH AN AGREEMENT TO MODIFY THE MORTGAGE LOAN, THE MORTGAGE WILL NOT BE FORECLOSED IF THE BORROWER ABIDES BY THE TERMS OF THE AGREEMENT.

(vii) THAT THE BORROWER HAS THE RIGHT TO CONTACT AN ATTORNEY, AND THE TELEPHONE NUMBER OF THE STATE BAR OF MICHIGAN'S LAWYER REFERRAL SERVICE.

(5) A BORROWER ON WHOM NOTICE IS REQUIRED TO BE SERVED UNDER THIS SECTION WHO IS NOT SERVED AND AGAINST WHOM FORECLOSURE PROCEEDINGS ARE COMMENCED UNDER THIS CHAPTER MAY BRING AN ACTION IN THE CIRCUIT COURT FOR THE COUNTY IN WHICH THE MORTGAGED PROPERTY IS SITUATED TO ENJOIN THE FORECLOSURE.

**(6) IF THE BORROWER AND THE PERSON DESIGNATED UNDER SUBSECTION (1)(C) HAVE PREVIOUSLY AGREED TO MODIFY THE MORTGAGE LOAN UNDER SECTION 3205B, THIS SECTION AND SECTIONS 3205B AND 3205C DO NOT APPLY UNLESS THE BORROWER HAS COMPLIED WITH THE TERMS OF THE MORTGAGE LOAN, AS MODIFIED, FOR 1 YEAR AFTER THE DATE OF THE MODIFICATION.**

**SEC. 3205B. (1) A BORROWER WHO WISHES TO PARTICIPATE IN NEGOTIATIONS TO ATTEMPT TO WORK OUT A MODIFICATION OF A MORTGAGE LOAN SHALL CONTACT A HOUSING COUNSELOR FROM THE LIST PROVIDED UNDER SECTION 3205A WITHIN 14 DAYS AFTER THE LIST IS MAILED TO THE BORROWER. WITHIN 10 DAYS AFTER BEING CONTACTED BY A BORROWER, A HOUSING COUNSELOR SHALL INFORM THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) IN WRITING OF THE BORROWER'S REQUEST.**

**(2) AFTER BEING INFORMED OF A BORROWER'S REQUEST TO MEET UNDER THIS SECTION, THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) MAY REQUEST THE BORROWER TO PROVIDE ANY DOCUMENTS THAT ARE NECESSARY TO DETERMINE WHETHER THE BORROWER IS ELIGIBLE FOR A MODIFICATION UNDER SECTION 3205C. THE BORROWER SHALL GIVE THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) COPIES OF ANY DOCUMENTS REQUESTED UNDER THIS SECTION.**

**(3) A HOUSING COUNSELOR CONTACTED BY A BORROWER UNDER THIS SECTION SHALL SCHEDULE A MEETING BETWEEN THE BORROWER AND THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) TO ATTEMPT TO WORK OUT A MODIFICATION OF THE MORTGAGE LOAN. AT THE REQUEST OF THE BORROWER, THE HOUSING COUNSELOR WILL ATTEND THE MEETING. THE MEETING AND ANY LATER MEETINGS SHALL BE HELD AT A TIME AND PLACE THAT IS CONVENIENT TO ALL PARTIES, OR IN THE COUNTY WHERE THE PROPERTY IS SITUATED.**

Enacting section 1. This amendatory act takes effect 45 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

(a) House Bill No. 4453.

(b) House Bill No. 4455.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding sections 3205a and 3205b.

Andy Coulouris  
Bert Johnson  
Brian Calley  
Conferees for the House

Randy Richardville  
Alan Sanborn  
Tupac Hunter  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Segal moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 230**

**Yeas—93**

Angerer  
Ball  
Barnett

Espinoza  
Geiss  
Gonzales

Lemmons  
Lindberg  
Lipton

Rocca  
Schmidt, R.  
Schuitmaker

Bauer	Green	Liss	Scott, B.
Bennett	Gregory	Lori	Scott, P.
Bledsoe	Griffin	Lund	Scripps
Bolger	Haase	Marleau	Segal
Brown, L.	Haines	Mayes	Sheltrown
Brown, T.	Hammel	McDowell	Simpson
Byrnes	Hansen	Meadows	Slavens
Byrum	Haugh	Melton	Slezak
Calley	Hildenbrand	Meltzer	Smith
Clemente	Horn	Miller	Spade
Constan	Huckleberry	Moore	Stamas
Corriveau	Johnson	Nathan	Stanley
Coulouris	Jones, Rick	Nerat	Switalski
Cushingberry	Jones, Robert	Neumann	Tlaib
Daley	Kandrevas	Opsommer	Tyler
Dean	Kennedy	Pavlov	Valentine
DeShazor	Kowall	Pearce	Walsh
Dillon	Lahti	Polidori	Warren
Durhal	LeBlanc	Proos	Womack
Ebli	Leland	Roberts	Young
Elsenheimer			

### Nays—15

Agema	Crawford	Knollenberg	Moss
Amash	Denby	Kurtz	Rogers
Booher	Genetski	McMillin	Schmidt, W.
Caul	Haveman	Meekhof	

In The Chair: Byrnes

### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning  
**House Bill No. 4455, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding sections 3205c, 3205d, and 3205e; and to repeal acts and parts of acts.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding sections 3205c, 3205d, and 3205e; and to repeal acts and parts of acts.

#### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

**SEC. 3205C. (1) IF A BORROWER HAS CONTACTED A HOUSING COUNSELOR UNDER SECTION 3205B BUT THE PROCESS HAS NOT RESULTED IN AN AGREEMENT TO MODIFY THE MORTGAGE LOAN, THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) SHALL WORK WITH THE BORROWER TO DETERMINE WHETHER THE BORROWER QUALIFIES FOR A LOAN MODIFICATION. UNLESS THE LOAN IS DESCRIBED IN SUBSECTION (2) OR (3), IN MAKING THE DETERMINATION UNDER THIS SUBSECTION, THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) SHALL USE A LOAN MODIFICATION PROGRAM OR PROCESS THAT INCLUDES ALL OF THE FOLLOWING FEATURES:**

**(A) THE LOAN MODIFICATION PROGRAM OR PROCESS TARGETS A RATIO OF THE BORROWER’S HOUSING-RELATED DEBT TO THE BORROWER’S GROSS INCOME OF 38% OR LESS, ON AN AGGREGATE BASIS. HOUSING-RELATED DEBT UNDER THIS SUBDIVISION INCLUDES MORTGAGE PRINCIPAL AND INTEREST, PROPERTY TAXES, INSURANCE, AND HOMEOWNER’S FEES.**

**(B) TO REACH THE 38% TARGET SPECIFIED IN SUBDIVISION (A), 1 OR MORE OF THE FOLLOWING FEATURES:**

**(i) AN INTEREST RATE REDUCTION, AS NEEDED, SUBJECT TO A FLOOR OF 3%, FOR A FIXED TERM OF AT LEAST 5 YEARS.**

**(ii) AN EXTENSION OF THE AMORTIZATION PERIOD FOR THE LOAN TERM, TO 40 YEARS OR LESS FROM THE DATE OF THE LOAN MODIFICATION.**

**(iii) DEFERRAL OF SOME PORTION OF THE AMOUNT OF THE UNPAID PRINCIPAL BALANCE OF 20% OR LESS, UNTIL MATURITY, REFINANCING OF THE LOAN, OR SALE OF THE PROPERTY.**

**(iv) REDUCTION OR ELIMINATION OF LATE FEES.**

**(2) IN MAKING THE DETERMINATION UNDER SUBSECTION (1), IF THE MORTGAGE LOAN IS POOLED FOR SALE TO AN INVESTOR THAT IS A GOVERNMENTAL ENTITY, THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) SHALL FOLLOW THE MODIFICATION GUIDELINES DICTATED BY THE GOVERNMENTAL ENTITY.**

**(3) IN MAKING THE DETERMINATION UNDER SUBSECTION (1), IF THE MORTGAGE LOAN HAS BEEN SOLD TO A GOVERNMENT-SPONSORED ENTERPRISE, THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) SHALL FOLLOW THE MODIFICATION GUIDELINES DICTATED BY THE GOVERNMENT-SPONSORED ENTERPRISE.**

**(4) THIS SECTION DOES NOT PROHIBIT A LOAN MODIFICATION ON OTHER TERMS OR ANOTHER LOSS MITIGATION STRATEGY INSTEAD OF MODIFICATION IF THE OTHER MODIFICATION OR STRATEGY IS AGREED TO BY THE BORROWER AND THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C).**

**(5) THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) SHALL PROVIDE THE BORROWER WITH BOTH OF THE FOLLOWING:**

**(A) A COPY OF ANY CALCULATIONS MADE BY THE PERSON UNDER THIS SECTION.**

**(B) IF REQUESTED BY THE BORROWER, A COPY OF THE PROGRAM, PROCESS, OR GUIDELINES UNDER WHICH THE DETERMINATION UNDER SUBSECTION (1) WAS MADE.**

**(6) SUBJECT TO SUBSECTION (7), IF THE RESULTS OF THE CALCULATION UNDER SUBSECTION (1) ARE THAT THE BORROWER IS ELIGIBLE FOR A MODIFICATION, THE MORTGAGE HOLDER OR MORTGAGE SERVICER SHALL NOT FORECLOSE THE MORTGAGE UNDER THIS CHAPTER BUT MAY PROCEED UNDER CHAPTER 31. IF THE RESULTS OF THE CALCULATION UNDER SUBSECTION (1) ARE THAT THE BORROWER IS NOT ELIGIBLE FOR A MODIFICATION OR IF SUBSECTION (7) APPLIES, THE MORTGAGE HOLDER OR MORTGAGE LENDER MAY FORECLOSE THE MORTGAGE UNDER THIS CHAPTER.**

**(7) IF THE DETERMINATION UNDER SUBSECTION (1) IS THAT THE BORROWER IS ELIGIBLE FOR A MODIFICATION, THE MORTGAGE HOLDER OR MORTGAGE SERVICER MAY PROCEED TO FORECLOSE THE MORTGAGE UNDER THIS CHAPTER IF BOTH OF THE FOLLOWING APPLY:**

**(A) THE PERSON DESIGNATED UNDER SECTION 3205A(1)(C) HAS IN GOOD FAITH OFFERED THE BORROWER A MODIFICATION AGREEMENT PREPARED IN ACCORDANCE WITH THE MODIFICATION DETERMINATION.**

**(B) FOR REASONS NOT RELATED TO ANY ACTION OR INACTION OF THE MORTGAGE HOLDER OR MORTGAGE SERVICER, THE BORROWER HAS NOT EXECUTED AND RETURNED THE MODIFICATION AGREEMENT WITHIN 14 DAYS AFTER THE BORROWER RECEIVED THE AGREEMENT.**

**(8) IF A MORTGAGE HOLDER OR MORTGAGE SERVICER BEGINS FORECLOSURE PROCEEDINGS UNDER THIS CHAPTER IN VIOLATION OF THIS SECTION, THE BORROWER MAY FILE AN ACTION IN THE CIRCUIT COURT FOR THE COUNTY WHERE THE MORTGAGED PROPERTY IS SITUATED TO CONVERT THE FORECLOSURE PROCEEDING TO A JUDICIAL FORECLOSURE. IF A BORROWER FILES AN ACTION UNDER THIS SECTION AND THE COURT DETERMINES THAT THE BORROWER PARTICIPATED IN THE PROCESS UNDER SECTION 3205B, A MODIFICATION AGREEMENT WAS NOT REACHED, AND THE BORROWER IS ELIGIBLE FOR MODIFICATION UNDER SUBSECTION (1), AND SUBSECTION (7) DOES NOT APPLY, THE COURT SHALL ENJOIN FORECLOSURE OF THE MORTGAGE BY ADVERTISEMENT AND ORDER THAT THE FORECLOSURE PROCEED UNDER CHAPTER 31.**

**SEC. 3205D. THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY SHALL DEVELOP THE LIST OF HOUSING COUNSELORS APPROVED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OR BY THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY WHO MAY PERFORM THE DUTIES OF HOUSING COUNSELOR UNDER SECTIONS 3205A TO 3205C.**

**SEC. 3205E. SECTIONS 3205A TO 3205D ARE REPEALED EFFECTIVE 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.**

Enacting section 1. This amendatory act takes effect 45 days after the date it is enacted into law.



Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 95th Legislature are enacted into law:

- (a) House Bill No. 4453.
- (b) House Bill No. 4454.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding sections 3205c, 3205d, and 3205e; and to repeal acts and parts of acts.

Andy Coulouris  
Bert Johnson  
Brian Calley  
Conferees for the House

Randy Richardville  
Alan Sanborn  
Tupac Hunter  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Segal moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 231

### Yeas—93

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

**Nays—15**

Agema	Crawford	Knollenberg	Moss
Amash	Denby	Kurtz	Rogers
Booher	Genetski	McMillin	Schmidt, W.
Caul	Haveman	Meekhof	

In The Chair: Byrnes

**Second Reading of Bills****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 second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****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.

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

**Roll Call No. 232****Yeas—106**

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



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

#### Nays—4

Amash	Genetski	Haveman	McMillin
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In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

#### Second Reading of Bills

##### House Bill No. 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 second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

##### House Bill No. 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.

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

#### Roll Call No. 234

#### 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	Gonzales	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
Cushingberry	Kandrevas	Neumann	Valentine
Daley	Kennedy	Opsommer	Walsh
Dean	Knollenberg	Pavlov	Warren
Denby	Kowall	Pearce	Womack
DeShazor	Kurtz	Polidori	Young
Dillon	Lahti	Proos	

### Nays—1

Genetski

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Barnett, Lisa Brown, Terry Brown, Constan, Durhal, Geiss, Gonzales, Haase, Robert Jones, Kandrevas, Kennedy, Leland, McDowell, Melton, Roberts, Schuitmaker, Bettie Scott, Scripps, Sheltrown, Slavens, Tyler, Valentine, Womack and Young were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 4203, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43537, 74117, and 83106 (MCL 324.43537, 324.74117, and 324.83106), section 43537 as amended by 2007 PA 60, section 74117 as amended by 2006 PA 477, and section 83106 as amended by 2004 PA 587.

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

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

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

The motion prevailed.

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

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

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

**House Bill No. 4203, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43537, 74117, and 83106 (MCL 324.43537, 324.74117, and 324.83106), section 43537 as amended by 2007 PA 60, section 74117 as amended by 2006 PA 477, and section 83106 as amended by 2004 PA 587.

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

**Roll Call No. 235**

**Yeas—108**

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

**Nays—0**

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Agema, Angerer, Ball, Barnett, Bledsoe, Booher, Lisa Brown, Terry Brown, Byrnes, Byrum, Calley, Caul, Clemente, Crawford, Daley, Dean, Denby, Durhal, Elsenheimer, Espinoza, Geiss, Genetski, Gregory, Haase, Hansen, Hildenbrand, Horn, Huckleberry, Johnson, Rick Jones, Robert Jones, Kandrevas, Kennedy, Knollenberg, Kowall, LeBlanc, Lipton, Liss, Lori, Marleau, Mayes, Meadows, Melton, Meltzer, Moore, Moss, Neumann, Pavlov, Pearce, Polidori, Proos, Roberts, Rocca, Rogers, Wayne Schmidt, Schuitmaker, Paul Scott, Segal, Slavens, Slezak, Stamas, Switalski, Tlaib, Tyler, Valentine and Walsh were named co-sponsors of the bill.

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

Rep. Segal 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.

Reps. Meltzer, Ball, Bolger, Booher, Terry Brown, Constan, Denby, Durhal, Gonzales, Haines, Hansen, Haugh, Rick Jones, Robert Jones, Knollenberg, Leland, Lori, Lund, Marleau, Neumann, Opsommer, Pearce, Proos, Rogers, Schuitmaker, Scripps, Sheltroun, Slavens, Stanley, Tyler and Valentine offered the following resolution:

**House Resolution No. 97.**

A resolution designating May 11-17, 2009, as Get Active America Week in the state of Michigan.

Whereas, The state of Michigan is home to many health clubs and gyms; and

Whereas, The International Health, Racquet & Sportsclub Association helps to provide places for individuals and families to exercise and live healthier lives; and

Whereas, These fitness organizations will open their doors to members and allow visitors to experience the benefit of exercising at no cost during the week; and

Whereas, These fitness organizations provide equipment demonstrations and a walk through focused on successful exercise programs; and

Whereas, It is with enthusiasm we promote healthy lifestyles and encourage regular exercise for the well being of community members; and

Whereas, Get Active America Week will provide an opportunity for the citizens of Michigan to participate in learning how to live healthier lives; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designates May 11-17, 2009, as Get Active America Week in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

**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 Wednesday, May 13:

<b>House Bill Nos.</b>	<b>4907</b>	<b>4908</b>	<b>4909</b>	<b>4910</b>	<b>4911</b>	<b>4912</b>	<b>4913</b>	<b>4914</b>	<b>4915</b>	<b>4916</b>	<b>4917</b>	<b>4918</b>	<b>4919</b>	<b>4920</b>
	<b>4921</b>	<b>4922</b>	<b>4923</b>	<b>4924</b>	<b>4925</b>	<b>4926</b>	<b>4927</b>	<b>4928</b>	<b>4929</b>	<b>4930</b>	<b>4931</b>	<b>4932</b>		
<b>Senate Bill Nos.</b>	<b>559</b>	<b>560</b>	<b>561</b>	<b>562</b>	<b>563</b>	<b>564</b>	<b>565</b>	<b>566</b>	<b>567</b>	<b>568</b>	<b>569</b>	<b>570</b>	<b>571</b>	<b>572</b>
	<b>573</b>	<b>574</b>												

The Clerk announced that the following Senate bills had been received on Wednesday, May 13:

<b>Senate Bill Nos.</b>	<b>141</b>	<b>282</b>	<b>321</b>	<b>432</b>	<b>490</b>
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**Reports of Standing Committees**

The Committee on Ethics and Elections, by Rep. Angerer, Chair, reported

**House Bill No. 4261, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 496a.

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. Angerer, Haase, Lisa Brown, Scripps, Slavens and Pearce

Nays: Reps. Meltzer and Kurtz

The Committee on Ethics and Elections, by Rep. Angerer, Chair, reported

**House Bill No. 4337, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 496a.

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. Angerer, Haase, Lisa Brown, Scripps, Slavens and Pearce

Nays: Reps. Meltzer and Kurtz

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Angerer, Haase, Lisa Brown, Scripps, Slavens, Meltzer, Kurtz and Pearce

Absent: Rep. Donigan

Excused: Rep. Donigan

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

**House Bill No. 4723, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2008 PA 116.

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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Nerat, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer and Walsh

Nays: Rep. Opsommer

The Committee on Commerce, by Rep. Robert Jones, Chair, reported

**House Bill No. 4724, entitled**

A bill to create the blue water bridge oversight committee in the legislative council; to provide for certain duties, functions, and powers; and to provide for certain duties of 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. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Nerat, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Commerce, was received and read:

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Robert Jones, Roy Schmidt, Byrum, Clemente, Haase, Haugh, Huckleberry, Lemmons, Nathan, Nerat, Sheltroun, Womack, Hansen, DeShazor, Knollenberg, Meekhof, Meltzer, Opsommer and Walsh



The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**House Bill No. 4817, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 4, 71, and 88a (MCL 125.2004, 125.2071, and 125.2088a), section 4 as amended by 2005 PA 225 and section 88a as amended by 2006 PA 639.

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. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**House Bill No. 4818, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2008 PA 257.

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. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**House Bill No. 4819, entitled**

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

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. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Clemente, Stanley, Byrnes, Geiss, Griffin, Leland, Segal, Knollenberg, Bolger, Denby and Tyler

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4405, entitled**

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1, 3, and 4

(MCL 780.621, 780.623, and 780.624), section 1 as amended by 2002 PA 472, section 3 as amended by 1994 PA 294, and section 4 as added by 1982 PA 495.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Amash, Haveman, Rick Jones and Kowall  
Nays: None

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4835, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16g and 21 of chapter XVII (MCL 777.16g and 777.21), section 16g as amended by 2008 PA 521 and section 21 as amended by 2006 PA 655.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Kandrevas, Bettie Scott and Warren  
Nays: Reps. Schuitmaker, Amash, Haveman, Rick Jones and Kowall

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4836, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 147b (MCL 750.147b), as added by 1988 PA 371, and by adding section 377d.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Kandrevas, Bettie Scott and Warren  
Nays: Reps. Schuitmaker, Amash, Haveman, Rick Jones and Kowall

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4918, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2 of chapter XI (MCL 771.2), as amended by 2002 PA 666.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones and Kowall  
Nays: None

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4919, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401 and 7403 (MCL 333.7401 and 333.7403), as amended by 2002 PA 710; and to repeal acts and parts of acts.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones and Kowall

Nays: None

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4920, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2006 PA 167.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones and Kowall

Nays: None

The Committee on Judiciary, by Rep. Meadows, Chair, reported

**House Bill No. 4921, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 10, 11, and 12 of chapter IX (MCL 769.10, 769.11, and 769.12), as amended by 2006 PA 655.

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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones and Kowall

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren, Schuitmaker, Amash, Haveman, Rick Jones and Kowall

Absent: Rep. Rocca

The Committee on Agriculture, by Rep. Simpson, Chair, reported

**House Bill No. 4324, entitled**

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending section 6 (MCL 287.266), as amended by 2000 PA 438.

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. Simpson, Huckleberry, Barnett, Haase, Mayes, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz  
Nays: None

The Committee on Agriculture, by Rep. Simpson, Chair, reported

**House Resolution No. 79.**

A resolution to recognize the importance of pollinators to ecosystem health and agriculture in Michigan and the value of partnership efforts that increase awareness about pollinators and build support for protecting and sustaining pollinators by designating June 21-27, 2009, as Michigan Pollinator Week in Michigan.

(For text of resolution, see House Journal No. 32, p. 670.)

With the recommendation that the resolution be adopted.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Simpson, Huckleberry, Barnett, Haase, Mayes, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Simpson, Huckleberry, Barnett, Haase, Mayes, Nerat, Valentine, Tyler, Daley, Hansen and Kurtz

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Young, Amash, Daley, Haveman and McMillin

**Messages from the Senate****Senate Bill No. 141, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 198.

The Senate has passed the bill.

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

**Senate Bill No. 282, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 198.

The Senate has passed the bill.

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

**Senate Bill No. 321, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 204c.

The Senate has passed the bill.

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

**Senate Bill No. 432, entitled**

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

The Senate has passed the bill.

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

**Senate Bill No. 490, entitled**

A bill to amend 1950 (Ex Sess) PA 21, entitled “An act to create the Mackinac bridge authority, and to prescribe its powers and duties; to provide for the determination of the physical and financial feasibility of a bridge connecting the upper and lower peninsulas of Michigan; to provide for a board of consulting engineers, and to prescribe its powers and duties; and to make an appropriation to carry out the provisions of this act,” (MCL 254.301 to 254.302) by amending the title and by adding section 1a.

The Senate has passed the bill.

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

**Messages from the Governor**

Date: May 12, 2009

Time: 3:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4309 (Public Act No. 24, I.E.), being**

An act 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. (Filed with the Secretary of State May 12, 2009, at 3:55 p.m.)

Date: May 12, 2009

Time: 3:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4715 (Public Act No. 25, I.E.), being**

An act to amend 1972 PA 239, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” by amending section 41 (MCL 432.41), as amended by 2008 PA 274.

(Filed with the Secretary of State May 12, 2009, at 3:57 p.m.)

**Introduction of Bills**

Rep. DeShazor introduced

**House Bill No. 4933, 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 Tax Policy.

Reps. Corriveau, Ball, Coulouris, Johnson, Simpson, Haugh, Melton, Young, Lipton, Marleau, Mayes, Gregory, Roy Schmidt, Hansen, LeBlanc, Scripps, Meadows, Moore and Green introduced

**House Bill No. 4934, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2213b, 3406f, 3501, 3503, 3519, 3521, 3525, 3539, and 3851 (MCL 500.2213b, 500.3406f, 500.3501, 500.3503, 500.3519, 500.3521, 500.3525, 500.3539, and 500.3851), section 2213b as amended by 1998 PA 457, section 3406f as added by 1996 PA 517, sections 3501, 3521, and 3525 as added by 2000 PA 252, section 3503 as amended by 2006 PA 366, sections 3519 and 3539

as amended by 2005 PA 306, and section 3851 as added by 1992 PA 84, and by adding chapter 37A; and to repeal acts and parts of acts.

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

Reps. Coulouris, Ball, Corriveau, Johnson, Simpson, Melton, Haugh, Young, Lipton, Marleau, Mayes, Gregory, Roy Schmidt, Hansen, LeBlanc, Scripps, Meadows, Moore and Green introduced

**House Bill No. 4935, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 401e, 402b, 608, 609, 610, 612, and 613 (MCL 550.1401e, 550.1402b, 550.1608, 550.1609, 550.1610, 550.1612, and 550.1613), section 401e as added by 1996 PA 516, section 402b as amended by 1999 PA 7, section 608 as amended by 1991 PA 73, and section 609 as amended by 2003 PA 59, and by adding sections 220 and 613a; and to repeal acts and parts of acts.

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

Reps. Melton, Ball, Corriveau, Coulouris, Simpson, Haugh, Young, Lipton, Marleau, Mayes, Scripps and Meadows introduced

**House Bill No. 4936, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3711 (MCL 500.3711), as added by 2003 PA 88, and by adding section 3710.

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

Reps. Segal, Corriveau, Johnson, Simpson, Melton, Haugh, Slavens, Young, Marleau, Mayes and Meadows introduced

**House Bill No. 4937, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16280.

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

Reps. Roy Schmidt, Meadows, Johnson, Slavens, Melton, Simpson, Haugh, Slezak, Ball, Corriveau, Young, Lipton, Marleau, Liss, Mayes, Scripps and Lisa Brown introduced

**House Bill No. 4938, entitled**

A bill to establish a bulk prescription drug purchasing cooperative; to establish a prescription drug benefit plan for certain residents of this state; to prescribe certain powers and duties of certain state agencies and departments; and to provide for the promulgation of rules.

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

Reps. Womack, Meadows, Johnson, Melton, Haugh, Simpson, Slavens, Slezak, Ball, Lisa Brown, Young, Marleau, Mayes and Scripps introduced

**House Bill No. 4939, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5151.

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

Reps. Slavens, Meadows, Johnson, Simpson, Haugh, Melton, Slezak, Ball, Corriveau, Lisa Brown, Young, Lipton, Marleau, Mayes and Scripps introduced

**House Bill No. 4940, entitled**

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

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

Reps. Mayes, Meadows, Johnson, Simpson, Melton, Haugh, Slavens, Slezak, Ball, Corriveau, Lisa Brown, Young, Marleau and Scripps introduced

**House Bill No. 4941, entitled**

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

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

Reps. Ball, Meadows, Johnson, Slavens, Simpson, Melton, Haugh, Corriveau, Young, Marleau, Liss, Mayes and Scripps introduced

**House Bill No. 4942, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2515. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Marleau, Slezak, Simpson, Ball, Corriveau, Young, Liss, Mayes, Scripps and Meadows introduced

**House Bill No. 4943, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 105c. The bill was read a first time by its title and referred to the Committee on Health Policy.

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Rep. Meltzer moved that the House adjourn.  
The motion prevailed, the time being 3:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 14, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives

