

No. 60
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House of Representatives
94th Legislature
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House Chamber, Lansing, Wednesday, June 18, 2008.

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.

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—excused	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Glenn Steil, Jr., from the 72nd District, offered the following invocation:

“Dear Lord, preserve our steadfast leadership during these times of decision and change. Guide us with Your grace and goodness. Help us to work together to set goals in accordance with Your purpose and fight for those ideals and freedoms we hold dear. Grant us clarity and courage to stay the course You have laid out for us, preserving the glory and welfare of our great state. Give us wisdom as we seek to do Your will. In Jesus’ name we pray. Amen.”

The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

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

The Speaker Pro Tempore resumed the Chair.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 297.

A resolution to express support for the construction of a replacement rail tunnel between Detroit and Windsor.

(For text of resolution, see House Journal No. 22, p. 404.)

(The resolution was reported by the Committee on Transportation on March 6, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

Second Reading of Bills

House Bill No. 4994, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3141 and 3145 (MCL 500.3141 and 500.3145).

(The bill was read a second time, amendment offered and bill postponed temporarily on May 27, see House Journal No. 51, p. 1183.)

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, following line 10, by inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1059 of the 94th Legislature is enacted into law.”.

The question being on the adoption of the amendment offered previously by Rep. Hoogendyk,

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

The motion prevailed.

House Bill No. 5838, entitled

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

The bill was read a second time.

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1059 of the 94th Legislature is enacted into law.”.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 4, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1049 of the 94th Legislature is enacted into law.”.

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4660 of the 94th Legislature is enacted into law.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5838, entitled

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

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

Roll Call No. 533

Yeas—78

Accavitti	Dillon	Knollenberg	Rocca
Angerer	Donigan	Lahti	Sak
Bauer	Ebli	LaJoy	Schuitmaker
Bennett	Espinoza	Law, Kathleen	Scott
Bieda	Farrah	LeBlanc	Sheltrown
Brown	Gaffney	Leland	Simpson
Byrnes	Gillard	Lindberg	Smith, Alma
Byrum	Gonzales	Marleau	Smith, Virgil
Casperson	Griffin	Mayer	Spade
Caswell	Hammel	McDowell	Stakoe
Caul	Hammon	Meadows	Tobocman
Cheeks	Hansen	Meisner	Vagnozzi
Clack	Hildenbrand	Melton	Valentine
Clemente	Hood	Miller	Walker
Condino	Hopgood	Moore	Ward
Constan	Huizenga	Moss	Warren
Corriveau	Hune	Nofs	Wenke
Coulouris	Jackson	Polidori	Wojno
Cushingberry	Johnson	Robertson	Young
Dean	Jones, Robert		

Nays—31

Acciavatti	Elsenheimer	Meekhof	Pavlov
Agema	Emmons	Meltzer	Pearce

Amos	Garfield	Moolenaar	Proos
Ball	Green	Nitz	Shaffer
Booher	Hoogendyk	Opsommer	Sheen
Brandenburg	Horn	Palmer	Stahl
Calley	Jones, Rick	Palsrok	Steil
DeRoche	Law, David	Pastor	

In The Chair: Byrnes

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

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The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills

House Bill No. 4210, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 166.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Government Operations,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4210, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 166.

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

Roll Call No. 534

Yeas—105

Accavitti	DeRoche	Knollenberg	Polidori
Acciavatti	Dillon	Lahti	Proos
Agema	Donigan	LaJoy	Robertson
Amos	Ebli	Law, David	Rocca
Angerer	Emmons	Law, Kathleen	Sak
Ball	Espinoza	LeBlanc	Schuitmaker
Bauer	Farrah	Leland	Scott
Bennett	Gaffney	Lindberg	Shaffer
Bieda	Gillard	Marleau	Sheen
Booher	Gonzales	Mayes	Sheltrown

Brandenburg	Green	McDowell	Simpson
Brown	Griffin	Meadows	Smith, Alma
Byrnes	Hammel	Meekhof	Smith, Virgil
Byrum	Hammon	Meisner	Spade
Calley	Hansen	Melton	Stahl
Casperson	Hildenbrand	Meltzer	Stakoe
Caswell	Hood	Miller	Steil
Caul	Hoogendyk	Moolenaar	Tobocman
Cheeks	Hopgood	Moore	Vagnozzi
Clack	Horn	Moss	Valentine
Clemente	Huizenga	Nitz	Walker
Condino	Hune	Nofs	Ward
Constan	Jackson	Opsommer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pavlov	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean			

Nays—4

Elsenheimer	Garfield	Palmer	Pastor
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In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

This is a fine concept, but it is estimated that it will cost up to \$350,000 per year to implement. Where does the majority intend to come up with the resources for this proposal? At a time that we are raising taxes, and yet face a \$400 million dollar budget shortfall for 2009, how can we be talking about adding a \$350,000 expense to state government?”

Second Reading of Bills

House Bill No. 4211, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 229.

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

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 2, following line 11, by inserting:

“(4) A CONTRACT FOR RECYCLING SERVICES UNDER THIS SECTION SHALL BE COMPETITIVELY BID. THE DEPARTMENT SHALL REQUIRE THE VENDOR TO PROVIDE ANY NECESSARY RECYCLING CONTAINERS IF IT IS IN THE BEST ECONOMIC INTEREST OF THE STATE.”.

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

Rep. Miller moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

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

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

House Bill No. 4211, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 229.

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

Roll Call No. 535

Yeas—94

Accavitti	Dean	Knollenberg	Polidori
Acciavatti	Dillon	Lahti	Proos
Amos	Donigan	LaJoy	Robertson
Angerer	Ebli	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayer	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meadows	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Miller	Stakoe
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Vagnozzi
Clack	Hopgood	Nitz	Valentine
Clemente	Horn	Nofs	Ward
Condino	Hune	Opsommer	Warren
Constan	Jackson	Palsrok	Wenke
Corriveau	Johnson	Pavlov	Wojno
Coulouris	Jones, Rick	Pearce	Young
Cushingberry	Jones, Robert		

Nays—15

Agema	Garfield	Meltzer	Sheen
Brandenburg	Hildenbrand	Moolenaar	Steil
DeRoche	Huizenga	Palmer	Walker
Elsenheimer	Meekhof	Pastor	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

This is a fine concept, but it is estimated that it will cost up to \$350,000 per year to implement. Where does the majority intend to come up with the resources for this proposal? At a time that we are raising taxes, and yet face a \$400 million dollar budget shortfall for 2009, how can we be talking about adding a \$350,000 expense to state government?”

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

“Mr. Speaker and members of the House:

I don’t support mandates which drive up the cost of the private sector, I don’t support mandates which drive up the cost of government, which the tax payer is paying for.”

Second Reading of Bills

House Bill No. 4480, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

The bill was read a second time.

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 3, following line 22, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5627 of the 94th Legislature is enacted into law.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4480, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

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

Roll Call No. 536

Yeas—67

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Rocca
Bauer	Dillon	Lahti	Sak
Bennett	Donigan	Law, David	Scott
Bieda	Ebli	Law, Kathleen	Sheltrown
Brown	Espinoza	LeBlanc	Simpson
Byrnes	Farrah	Leland	Smith, Alma
Byrum	Gaffney	Lindberg	Smith, Virgil
Casperson	Gillard	Mayes	Spade
Caul	Gonzales	McDowell	Tobocman
Cheeks	Griffin	Meadows	Vagnozzi
Clack	Hammel	Meisner	Valentine
Clemente	Hammon	Melton	Warren

Condino	Hood	Meltzer	Wenke
Constan	Hopgood	Miller	Wojno
Corriveau	Horn	Moore	Young
Coulouris	Jackson	Nofs	

Nays—42

Acciavatti	Garfield	Meekhof	Proos
Agema	Green	Moolenaar	Robertson
Amos	Hansen	Moss	Schuitmaker
Ball	Hildenbrand	Nitz	Shaffer
Booher	Hoogendyk	Opsommer	Sheen
Brandenburg	Huizenga	Palmer	Stahl
Calley	Hune	Palsrok	Stakoe
Caswell	Jones, Rick	Pastor	Steil
DeRoche	Knollenberg	Pavlov	Walker
Elsenheimer	LaJoy	Pearce	Ward
Emmons	Marleau		

In The Chair: Sak

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

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

“Mr. Speaker and members of the House:
 The Governor has already put the contents into effect with an executive order. This bill is unneeded.”

Rep. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

This allows any state agency to basically not contract with any vendor based on their perception of what is or is not ethical. I do not believe any Michigan State Department should be in a position of to make such a subjective judgment. I consider the private sector and the people to have far better ethical judgment than any governmental bureaucracy. When government begins to tell companies how they can operate and who they can do business with before they can have a contract with the state, the free market no longer exists and the tax payer loses again.”

Second Reading of Bills

House Bill No. 5270, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2506 (MCL 339.2506), as amended by 1988 PA 463.

The bill was read a second time.

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

The motion prevailed.

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

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

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

House Bill No. 5270, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2506 (MCL 339.2506), as amended by 1988 PA 463.

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

Roll Call No. 537

Yeas—109

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Green	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

Nays—0

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 5294, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending the title and sections 1 and 2 (MCL 445.1631 and 445.1632).

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

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

Rep. Amos moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5295.
- (f) House Bill No. 5296.
- (g) House Bill No. 5297.
- (h) House Bill No. 5299.
- (i) House Bill No. 5300.
- (j) House Bill No. 5301.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

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

Rep. Green moved to amend the bill as follows:

1. Amend page 8, line 16, after “**EXCEED**” by striking out “**5%**” and inserting “**6.5%**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5294, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending the title and sections 1 and 2 (MCL 445.1631 and 445.1632).

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

Roll Call No. 538

Yeas—80

Accavitti	Cushingberry	Jones, Rick	Rocca
Angerer	Dean	Jones, Robert	Sak
Ball	Dillon	Lahti	Schuitmaker
Bauer	Donigan	LaJoy	Scott
Bennett	Ebli	Law, David	Shaffer
Bieda	Emmons	Law, Kathleen	Sheltrown
Brown	Espinoza	LeBlanc	Simpson
Byrnes	Farrah	Leland	Smith, Alma
Byrum	Gaffney	Lindberg	Smith, Virgil
Calley	Gillard	Marleau	Spade
Casperson	Gonzales	Mayes	Stahl

Caswell	Griffin	McDowell	Stakoe
Caul	Hammel	Meadows	Tobocman
Cheeks	Hammon	Meisner	Vagnozzi
Clack	Hansen	Melton	Valentine
Clemente	Hood	Meltzer	Ward
Condino	Hopgood	Miller	Warren
Constan	Horn	Moore	Wenke
Corriveau	Jackson	Nofs	Wojno
Coulouris	Johnson	Polidori	Young

Nays—29

Acciavatti	Green	Moolenaar	Pavlov
Agema	Hildenbrand	Moss	Pearce
Amos	Hoogendyk	Nitz	Proos
Booher	Huizenga	Opsommer	Robertson
Brandenburg	Hune	Palmer	Sheen
DeRoche	Knollenberg	Palsrok	Steil
Elsenheimer	Meekhof	Pastor	Walker
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I must vote NO on HB 5295 and the associated bills in this package HB 5294, HB 5296, HB 5299, HB 5307 and HB 5308. While I support effort to improve the lending climate in Michigan and protect consumers from unscrupulous brokers and lenders, this bill is flawed. This legislation places unworkable regulation on the fees charged by brokers and lenders, It also contains language which is so subjective that it would require omniscience on the part of brokers in determining a borrowers ability to pay. It would subject brokers to legal liability which would make it all but impossible for honest law-abiding brokers to offer loans to homebuyers. Like so much legislation which emanates from the other side of the aisle, this legislation will hurt the very people it is intended to help. Loans for people with less than perfect credit will be even more difficult to obtain and place the dream of home ownership further out of reach. Borrowers with excellent credit, income and employment seeking conforming loans would be hurt by this legislation. The measures we have taken to provide for loan officer licensure, provide greater penalties for assessment fraud and coercion of fraud, coupled with greater resources in the Office of Financial and Insurance Regulation (OFIR) will go a very long way to addressing the current mortgage lending/crisis. These bills miss the target.”

Second Reading of Bills

House Bill No. 5295, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 3 and 4 (MCL 445.1633 and 445.1634).

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

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 8, line 7, after “do” by striking out “either” and inserting “ANY”.
2. Amend page 8, following line 11, by inserting:
“(C) CHARGE AN APPLICATION FEE.”.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 8, following line 5, by inserting:
“(13) IT IS AN AFFIRMATIVE DEFENSE TO AN ACTION UNDER THIS ACT BY A BORROWER AGAINST A CREDITOR THAT THE BORROWER MADE 1 OR MORE DELIBERATE MATERIAL MISSTATEMENTS, MISREPRESENTATIONS, OR OMISSIONS IN A HOME LOAN APPLICATION OR OTHER LOAN DOCUMENT.”.

The question being on the adoption of the amendment offered by Rep. Schuitmaker,

Rep. Angerer moved that consideration of the amendment be postponed temporarily.
The motion prevailed.

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of enacting section 1 and inserting:
“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5296.
- (g) House Bill No. 5297.
- (h) House Bill No. 5299.
- (i) House Bill No. 5300.
- (j) House Bill No. 5301.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

The question being on the adoption of the amendment offered by Rep. Pavlov,

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

House Bill No. 5296, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending section 5 (MCL 445.1635) and by adding section 4a.

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

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

Rep. Moore moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of enacting section 1 and inserting:
“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.

- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5297.
- (h) House Bill No. 5299.
- (i) House Bill No. 5300.
- (j) House Bill No. 5301.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. Rep. Melton moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5296, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending section 5 (MCL 445.1635) and by adding section 4a.

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

Roll Call No. 539

Yeas—81

Accavitti	Dean	Jones, Robert	Polidori
Angerer	Dillon	Lahti	Rocca
Ball	Donigan	LaJoy	Sak
Bauer	Ebli	Law, David	Schuitmaker
Bennett	Emmons	Law, Kathleen	Scott
Bieda	Espinoza	LeBlanc	Shaffer
Brown	Farrah	Leland	Sheltrown
Byrnes	Gaffney	Lindberg	Simpson
Byrum	Gillard	Marleau	Smith, Alma
Calley	Gonzales	Mayes	Smith, Virgil
Casperson	Griffin	McDowell	Spade
Caswell	Hammel	Meadows	Stakoe
Caul	Hammon	Meisner	Tobocman
Cheeks	Hansen	Melton	Vagnozzi
Clack	Hood	Meltzer	Valentine
Clemente	Hopgood	Miller	Ward
Condino	Horn	Moore	Warren
Constan	Jackson	Nofs	Wenke
Corriveau	Johnson	Opsommer	Wojno
Coulouris	Jones, Rick	Pearce	Young
Cushingberry			

Nays—28

Acciavatti	Garfield	Meekhof	Pavlov
Agema	Green	Moolenaar	Proos
Amos	Hildenbrand	Moss	Robertson
Booher	Hoogendyk	Nitz	Sheen
Brandenburg	Huizenga	Palmer	Stahl
DeRoche	Hune	Palsrok	Steil
Elsenheimer	Knollenberg	Pastor	Walker

In The Chair: Sak

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

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

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending section 5 (MCL 445.1635).

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

I must vote NO on HB 5295 and the associated bills in this package HB 5294, HB 5296, HB 5299, HB 5307 and HB 5308. While I support effort to improve the lending climate in Michigan and protect consumers from unscrupulous brokers and lenders, this bill is flawed. This legislation places unworkable regulation on the fees charged by brokers and lenders, It also contains language which is so subjective that it would require omniscience on the part of brokers in determining a borrowers ability to pay. It would subject brokers to legal liability which would make it all but impossible for honest law-abiding brokers to offer loans to homebuyers. Like so much legislation which emanates from the other side of the aisle, this legislation will hurt the very people it is intended to help. Loans for people with less than perfect credit will be even more difficult to obtain and place the dream of home ownership further out of reach. Borrowers with excellent credit, income and employment seeking conforming loans would be hurt by this legislation. The measures we have taken to provide for loan officer licensure, provide greater penalties for assessment fraud and coercion of fraud, coupled with greater resources in the Office of Financial and Insurance Regulation (OFIR) will go a very long way to addressing the current mortgage lending/crisis. These bills miss the target.”

Second Reading of Bills

The House returned to the consideration of

House Bill No. 5295, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 3 and 4 (MCL 445.1633 and 445.1634).

(The bill was considered earlier today, see today’s Journal, p. 1421.)

The question being on the adoption of the amendment offered previously by Rep. Pavlov,

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

Rep. Green moved to amend the bill as follows:

1. Amend page 5, line 14, by striking out all of subdivision (A) and relettering the remaining subdivisions.
2. Amend page 5, line 25, by striking out “**REASONABLY ADVANTAGEOUS**”.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 8, following line 5, by inserting:

“(13) IT IS AN AFFIRMATIVE DEFENSE TO AN ACTION UNDER THIS ACT BY A BORROWER AGAINST A CREDITOR IF THE CREDITOR RELIED UPON 1 OR MORE DELIBERATE MATERIAL MISSTATEMENTS, MISREPRESENTATIONS, OR OMISSIONS MADE BY THE BORROWER IN A HOME LOAN APPLICATION OR OTHER LOAN DOCUMENT.”.

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

The question being on the adoption of the amendment offered previously by Rep. Schuitmaker,

Rep. Schuitmaker withdrew the amendment.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5295, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 3 and 4 (MCL 445.1633 and 445.1634).

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

Roll Call No. 540

Yeas—81

Accavitti	Dean	Lahti	Polidori
Angerer	Dillon	LaJoy	Rocca
Ball	Donigan	Law, David	Sak
Bauer	Ebli	Law, Kathleen	Schuitmaker
Bennett	Emmons	LeBlanc	Scott
Bieda	Espinoza	Leland	Shaffer
Brown	Farrah	Lindberg	Sheltrown
Byrnes	Gaffney	Marleau	Simpson
Byrum	Gillard	Mayer	Smith, Alma
Calley	Gonzales	McDowell	Smith, Virgil
Casperson	Griffin	Meadows	Spade
Caswell	Hammel	Meisner	Stakoe
Caul	Hammon	Melton	Tobocman
Cheeks	Hansen	Meltzer	Vagnozzi
Clack	Hood	Miller	Valentine
Clemente	Hopgood	Moore	Ward
Condino	Horn	Nitz	Warren
Constan	Jackson	Nofs	Wenke
Corriveau	Johnson	Opsommer	Wojno
Coulouris	Jones, Robert	Pearce	Young
Cushingberry			

Nays—28

Acciavatti	Garfield	Knollenberg	Pavlov
Agema	Green	Meekhof	Proos
Amos	Hildenbrand	Moolenaar	Robertson
Booher	Hoogendyk	Moss	Sheen
Brandenburg	Huizenga	Palmer	Stahl
DeRoche	Hune	Palsrok	Steil
Elsenheimer	Jones, Rick	Pastor	Walker

In The Chair: Sak

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

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

“Mr. Speaker and members of the House:

I must vote NO on HB 5295 and the associated bills in this package HB 5294, HB 5296, HB 5299, HB 5307 and HB 5308. While I support effort to improve the lending climate in Michigan and protect consumers from unscrupulous brokers and lenders, this bill is flawed. This legislation places unworkable regulation on the fees charged by brokers and lenders, It also contains language which is so subjective that it would require omniscience on the part of brokers in determining a borrowers ability to pay. It would subject brokers to legal liability which would make it all but impossible for honest law-abiding brokers to offer loans to homebuyers. Like so much legislation which emanates from the other side of the aisle, this legislation will hurt the very people it is intended to help. Loans for people with less than perfect credit will be even more difficult to obtain and place the dream of home ownership further out of reach. Borrowers with excellent credit, income and employment seeking conforming loans would be hurt by this legislation. The measures we have taken to provide for loan officer licensure, provide greater penalties for assessment fraud and coercion of fraud, coupled with greater resources in the Office of Financial and Insurance Regulation (OFIR) will go a very long way to addressing the current mortgage lending/crisis. These bills miss the target.”

Second Reading of Bills

House Bill No. 5297, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 6 and 7 (MCL 445.1636 and 445.1637).

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

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

Rep. LaJoy moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5299.
- (i) House Bill No. 5300.
- (j) House Bill No. 5301.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

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

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

Rep. Hood moved that Rep. Jackson be excused temporarily from today's session.
The motion prevailed.

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

House Bill No. 5297, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 6 and 7 (MCL 445.1636 and 445.1637).

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

Roll Call No. 541

Yeas—106

Accavitti	DeRoche	Lahti	Pearce
Acciavatti	Dillon	LaJoy	Polidori
Agema	Donigan	Law, David	Proos
Amos	Ebli	Law, Kathleen	Robertson
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Emmons	Leland	Sak
Bauer	Espinoza	Lindberg	Schuitmaker
Bennett	Farrah	Marleau	Scott
Bieda	Gaffney	Mayer	Shaffer
Booher	Garfield	McDowell	Sheltrown
Brandenburg	Gillard	Meadows	Simpson
Brown	Gonzales	Meekhof	Smith, Alma
Byrnes	Green	Meisner	Smith, Virgil
Byrum	Griffin	Melton	Spade
Calley	Hammel	Meltzer	Stahl
Casperson	Hammon	Miller	Stakoe
Caswell	Hansen	Moolenaar	Steil
Caul	Hildenbrand	Moore	Tobocman
Cheeks	Hood	Moss	Vagnozzi
Clack	Hoogendyk	Nitz	Valentine
Clemente	Hopgood	Nofs	Walker
Condino	Horn	Opsommer	Ward
Constan	Huizenga	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean	Knollenberg		

Nays—2

Hune

Sheen

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 5299, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," (MCL 445.1631 to 445.1645) by adding sections 7c and 7d.

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

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

Rep. Garfield moved to amend the bill as follows:

1. Amend page 4, line 1, by striking out all of subdivision (D) and inserting:

"(D) COSTS.

(E) REASONABLE ATTORNEY FEES, IN AN AMOUNT THAT DOES NOT EXCEED 10% OF THE TOTAL AMOUNT OF DAMAGES RECOVERED UNDER THIS SUBSECTION."

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 3, line 15, after "(1)" by striking out "IN" and inserting "**SUBJECT TO SUBSECTIONS (8) AND (9), IN**".

2. Amend page 5, following line 24, by inserting:

"(9) A BORROWER WHO IS ILLEGALLY RESIDING IN THE UNITED STATES MAY NOT ASSERT A CLAIM UNDER THIS ACT."

The question being on the adoption of the amendments offered by Rep. Agema,

Rep. Agema demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Agema,

The amendments were adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 542

Yeas—79

Acciavatti	Elsenheimer	LeBlanc	Polidori
Agema	Emmons	Marleau	Proos
Amos	Gaffney	Mayes	Robertson
Angerer	Garfield	McDowell	Rocca
Ball	Green	Meekhof	Sak
Bieda	Griffin	Meisner	Schuitmaker
Booher	Hammel	Melton	Shaffer
Brandenburg	Hammon	Meltzer	Sheen
Brown	Hansen	Miller	Sheltrown
Byrum	Hildenbrand	Moolenaar	Simpson
Calley	Hoogendyk	Moore	Spade
Casperson	Horn	Moss	Stahl
Caswell	Huizenga	Nitz	Stakoe
Caul	Hune	Nofs	Steil
Clemente	Jones, Rick	Opsommer	Valentine
Corriveau	Knollenberg	Palmer	Walker
Dean	Lahti	Palsrok	Ward
DeRoche	LaJoy	Pastor	Wenke
Dillon	Law, David	Pavlov	Wojno
Ebli	Law, Kathleen	Pearce	

Nays—30

Accavitti
Bauer
Bennett
Byrnes
Cheeks
Clack
Condino
Constan

Coulouris
Cushingberry
Donigan
Espinoza
Farrah
Gillard
Gonzales
Hood

Hopgood
Jackson
Johnson
Jones, Robert
Leland
Lindberg
Meadows

Scott
Smith, Alma
Smith, Virgil
Tobocman
Vagnozzi
Warren
Young

In The Chair: Sak

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5297.
- (i) House Bill No. 5300.
- (j) House Bill No. 5301.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5299, entitled**

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” (MCL 445.1631 to 445.1645) by adding sections 7c and 7d.

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

Roll Call No. 543**Yeas—72**

Accavitti
Angerer

Cushingberry
Dean

Jones, Robert
Lahti

Rocca
Sak

Ball	Dillon	LaJoy	Scott
Bauer	Donigan	Law, David	Shaffer
Bennett	Ebli	Law, Kathleen	Sheltrown
Bieda	Espinoza	LeBlanc	Simpson
Brown	Farrah	Leland	Smith, Alma
Byrnes	Gaffney	Lindberg	Smith, Virgil
Byrum	Gillard	Marleau	Spade
Calley	Gonzales	Mayes	Stakoe
Caul	Griffin	McDowell	Tobocman
Cheeks	Hammel	Meadows	Vagnozzi
Clack	Hammon	Meisner	Valentine
Clemente	Hood	Melton	Ward
Condino	Hopgood	Meltzer	Warren
Constan	Horn	Miller	Wenke
Corriveau	Jackson	Moore	Wojno
Coulouris	Johnson	Polidori	Young

Nays—37

Acciavatti	Garfield	Meekhof	Pavlov
Agema	Green	Moolenaar	Pearce
Amos	Hansen	Moss	Proos
Booher	Hildenbrand	Nitz	Robertson
Brandenburg	Hoogendyk	Nofs	Schuitmaker
Casperson	Huizenga	Opsommer	Sheen
Caswell	Hune	Palmer	Stahl
DeRoche	Jones, Rick	Palsrok	Steil
Elsenheimer	Knollenberg	Pastor	Walker
Emmons			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I must vote NO on HB 5295 and the associated bills in this package HB 5294, HB 5296, HB 5299, HB 5307 and HB 5308. While I support effort to improve the lending climate in Michigan and protect consumers from unscrupulous brokers and lenders, this bill is flawed. This legislation places unworkable regulation on the fees charged by brokers and lenders, It also contains language which is so subjective that it would require omniscience on the part of brokers in determining a borrowers ability to pay. It would subject brokers to legal liability which would make it all but impossible for honest law-abiding brokers to offer loans to homebuyers. Like so much legislation which emanates from the other side of the aisle, this legislation will hurt the very people it is intended to help. Loans for people with less than perfect credit will be even more difficult to obtain and place the dream of home ownership further out of reach. Borrowers with excellent credit, income and employment seeking conforming loans would be hurt by this legislation. The measures we have taken to provide for loan officer licensure, provide greater penalties for assessment fraud and coercion of fraud, coupled with greater resources in the Office of Financial and Insurance Regulation (OFIR) will go a very long way to addressing the current mortgage lending/crisis. These bills miss the target.”

Second Reading of Bills

House Bill No. 5300, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 8 and 9 (MCL 445.1638 and 445.1639).

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

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

Rep. Rick Jones moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5297.
- (i) House Bill No. 5299.
- (j) House Bill No. 5301.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5300, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 8 and 9 (MCL 445.1638 and 445.1639).

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

Roll Call No. 544

Yeas—99

Accavitti
Amos
Angerer
Ball
Bauer

Donigan
Ebli
Elsenheimer
Emmons
Espinoza

LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland

Polidori
Proos
Robertson
Rocca
Sak

Bennett	Farrah	Lindberg	Schuitmaker
Bieda	Gaffney	Marleau	Scott
Brown	Gillard	Mayer	Shaffer
Byrnes	Gonzales	McDowell	Sheltrown
Byrum	Green	Meadows	Simpson
Calley	Griffin	Meekhof	Smith, Alma
Casperson	Hammel	Meisner	Smith, Virgil
Caswell	Hammon	Melton	Spade
Caul	Hansen	Meltzer	Stakoe
Cheeks	Hildenbrand	Miller	Steil
Clack	Hood	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Jackson	Nofs	Ward
Coulouris	Johnson	Opsommer	Warren
Cushingberry	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti	Pearce	

Nays—10

Acciavatti	Brandenburg	Hune	Sheen
Agema	Garfield	Pastor	Stahl
Booher	Hoogendyk		

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 5301, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 10 and 11 (MCL 445.1640 and 445.1641).

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

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 3, line 6, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.

- (h) House Bill No. 5297.
- (i) House Bill No. 5299.
- (j) House Bill No. 5300.
- (k) House Bill No. 5302.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. Rep. Gaffney moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5301, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 10 and 11 (MCL 445.1640 and 445.1641).

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

Roll Call No. 545

Yeas—101

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lindberg	Schuitmaker
Bieda	Gaffney	Marleau	Scott
Booher	Gillard	Mayer	Shaffer
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meadows	Simpson
Byrum	Griffin	Meekhof	Smith, Alma
Calley	Hammel	Meisner	Smith, Virgil
Casperson	Hammon	Melton	Spade
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hopgood	Moore	Vagnozzi
Clemente	Horn	Moss	Valentine
Condino	Huizenga	Nitz	Walker
Constan	Hune	Nofs	Ward
Corriveau	Jackson	Opsommer	Warren
Coulouris	Johnson	Palmer	Wenke
Cushingberry	Jones, Rick	Palsrok	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

Nays—8

Agema
Brandenburg

Garfield
Hoogendyk

Knollenberg
Pastor

Sheen
Stahl

In The Chair: Sak

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

Second Reading of Bills**House Bill No. 5302, entitled**

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 12 and 13 (MCL 445.1642 and 445.1643).

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

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

Rep. Amos moved to amend the bill as follows:

1. Amend page 2, line 11, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5297.
- (i) House Bill No. 5299.
- (j) House Bill No. 5300.
- (k) House Bill No. 5301.
- (l) House Bill No. 5303.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5302, entitled**

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 12 and 13 (MCL 445.1642 and 445.1643).

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

Roll Call No. 546**Yeas—109**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Green	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche			

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5303, entitled**

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 14 and 15 (MCL 445.1644 and 445.1645).

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

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 3, line 22, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

(a) House Bill No. 4264.

- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5297.
- (i) House Bill No. 5299.
- (j) House Bill No. 5300.
- (k) House Bill No. 5301.
- (l) House Bill No. 5302.
- (m) House Bill No. 5641.
- (n) House Bill No. 5642.
- (o) House Bill No. 5643.
- (p) House Bill No. 5644.
- (q) House Bill No. 5645.
- (r) House Bill No. 5646.
- (s) House Bill No. 5647.
- (t) House Bill No. 6128.
- (u) House Bill No. 6129.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. Rep. Calley moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5303, entitled

A bill to amend 2002 PA 660, entitled “Consumer mortgage protection act,” by amending sections 14 and 15 (MCL 445.1644 and 445.1645).

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

Roll Call No. 547

Yeas—106

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lindberg	Schuitmaker
Bennett	Gaffney	Marleau	Scott
Bieda	Garfield	Mayer	Shaffer
Booher	Gillard	McDowell	Sheltrown
Brandenburg	Gonzales	Meadows	Simpson
Brown	Green	Meekhof	Smith, Alma
Byrnes	Griffin	Meisner	Smith, Virgil

Byrum	Hammel	Melton	Spade
Calley	Hammon	Meltzer	Stahl
Casperson	Hansen	Miller	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Vagnozzi
Clack	Hopgood	Nitz	Valentine
Clemente	Horn	Nofs	Walker
Condino	Huizenga	Opsommer	Ward
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche	Knollenberg		

Nays—2

Hune Sheen

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 5307, entitled

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending section 22 (MCL 445.1672), as amended by 2002 PA 391, and by adding section 24a.

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

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

Rep. Rick Jones moved to amend the bill as follows:

1. Amend page 5, line 8, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5297.
- (i) House Bill No. 5299.
- (j) House Bill No. 5300.
- (k) House Bill No. 5301.
- (l) House Bill No. 5302.
- (m) House Bill No. 5303.
- (n) House Bill No. 5641.
- (o) House Bill No. 5642.

- (p) House Bill No. 5643.
- (q) House Bill No. 5644.
- (r) House Bill No. 5645.
- (s) House Bill No. 5646.
- (t) House Bill No. 5647.
- (u) House Bill No. 6128.
- (v) House Bill No. 6129.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. Rep. Young moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5307, entitled

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending section 22 (MCL 445.1672), as amended by 2002 PA 391, and by adding section 24a.

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

Roll Call No. 548

Yeas—85

Accavitti	Dillon	LaJoy	Proos
Acciavatti	Donigan	Law, David	Rocca
Angerer	Ebli	Law, Kathleen	Sak
Ball	Emmons	LeBlanc	Schuitmaker
Bauer	Espinoza	Leland	Scott
Bennett	Farrah	Lindberg	Shaffer
Bieda	Gaffney	Marleau	Sheltrown
Booher	Gillard	Mayes	Simpson
Brown	Gonzales	McDowell	Smith, Alma
Byrnes	Griffin	Meadows	Smith, Virgil
Byrum	Hammel	Meisner	Spade
Calley	Hammon	Melton	Stakoe
Caswell	Hansen	Meltzer	Tobocman
Caul	Hood	Miller	Vagnozzi
Cheeks	Hopgood	Moolenaar	Valentine
Clack	Horn	Moore	Walker
Clemente	Jackson	Nitz	Ward
Condino	Johnson	Nofs	Warren
Constan	Jones, Rick	Opsommer	Wenke
Corriveau	Jones, Robert	Pearce	Wojno
Coulouris	Lahti	Polidori	Young
Dean			

Nays—23

Agema	Garfield	Knollenberg	Pavlov
Amos	Green	Meekhof	Robertson
Brandenburg	Hildenbrand	Moss	Sheen
Casperson	Hoogendyk	Palmer	Stahl
DeRoche	Huizenga	Palsrok	Steil
Elsenheimer	Hune	Pastor	

In The Chair: Sak

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

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

“Mr. Speaker and members of the House:

I must vote NO on HB 5295 and the associated bills in this package HB 5294, HB 5296, HB 5299, HB 5307 and HB 5308. While I support effort to improve the lending climate in Michigan and protect consumers from unscrupulous brokers and lenders, this bill is flawed. This legislation places unworkable regulation on the fees charged by brokers and lenders, It also contains language which is so subjective that it would require omniscience on the part of brokers in determining a borrowers ability to pay. It would subject brokers to legal liability which would make it all but impossible for honest law-abiding brokers to offer loans to homebuyers. Like so much legislation which emanates from the other side of the aisle, this legislation will hurt the very people it is intended to help. Loans for people with less than perfect credit will be even more difficult to obtain and place the dream of home ownership further out of reach. Borrowers with excellent credit, income and employment seeking conforming loans would be hurt by this legislation. The measures we have taken to provide for loan officer licensure, provide greater penalties for assessment fraud and coercion of fraud, coupled with greater resources in the Office of Financial and Insurance Regulation (OFIR) will go a very long way to addressing the current mortgage lending/crisis. These bills miss the target.”

Second Reading of Bills

House Bill No. 5308, entitled

A bill to amend 1981 PA 125, entitled “The secondary mortgage loan act,” by amending section 24 (MCL 493.74), as amended by 2002 PA 392, and by adding section 24a.

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

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 5, line 22, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) House Bill No. 4264.
- (b) House Bill No. 4409.
- (c) House Bill No. 4410.
- (d) House Bill No. 4411.
- (e) House Bill No. 5294.
- (f) House Bill No. 5295.
- (g) House Bill No. 5296.
- (h) House Bill No. 5297.
- (i) House Bill No. 5299.
- (j) House Bill No. 5300.
- (k) House Bill No. 5301.
- (l) House Bill No. 5302.
- (m) House Bill No. 5303.
- (n) House Bill No. 5641.
- (o) House Bill No. 5642.
- (p) House Bill No. 5643.
- (q) House Bill No. 5644.
- (r) House Bill No. 5645.
- (s) House Bill No. 5646.
- (t) House Bill No. 5647.

(u) House Bill No. 6128.

(v) House Bill No. 6129.”

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor. Rep. Valentine moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5308, entitled

A bill to amend 1981 PA 125, entitled “The secondary mortgage loan act,” by amending section 24 (MCL 493.74), as amended by 2002 PA 392, and by adding section 24a.

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

Roll Call No. 549

Yeas—81

Accavitti	Dean	Jones, Robert	Rocca
Acciavatti	Dillon	Lahti	Sak
Angerer	Donigan	LaJoy	Schuitmaker
Ball	Ebli	Law, David	Scott
Bauer	Emmons	Law, Kathleen	Shaffer
Bennett	Espinoza	LeBlanc	Sheltrown
Bieda	Farrah	Leland	Simpson
Booher	Gaffney	Lindberg	Smith, Alma
Brown	Gillard	Marleau	Smith, Virgil
Byrnes	Gonzales	Mayer	Spade
Byrum	Griffin	McDowell	Stakoe
Calley	Hammel	Meadows	Tobocman
Caswell	Hammon	Meisner	Vagnozzi
Caul	Hansen	Melton	Valentine
Cheeks	Hood	Meltzer	Walker
Clack	Hopgood	Miller	Ward
Clemente	Horn	Moore	Warren
Condino	Jackson	Nofs	Wenke
Constan	Johnson	Pearce	Wojno
Corriveau	Jones, Rick	Polidori	Young
Coulouris			

Nays—27

Agema	Green	Moolenaar	Pavlov
Amos	Hildenbrand	Moss	Proos
Brandenburg	Hoogendyk	Nitz	Robertson
Casperson	Huizenga	Opsommer	Sheen
DeRoche	Hune	Palmer	Stahl
Elsenheimer	Knollenberg	Palsrok	Steil
Garfield	Meekhof	Pastor	

In The Chair: Sak

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

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

“Mr. Speaker and members of the House:

I must vote NO on HB 5295 and the associated bills in this package HB 5294, HB 5296, HB 5299, HB 5307 and HB 5308. While I support effort to improve the lending climate in Michigan and protect consumers from unscrupulous brokers and lenders, this bill is flawed. This legislation places unworkable regulation on the fees charged by brokers and lenders, It also contains language which is so subjective that it would require omniscience on the part of brokers in determining a borrowers ability to pay. It would subject brokers to legal liability which would make it all but impossible for honest law-abiding brokers to offer loans to homebuyers. Like so much legislation which emanates from the other side of the aisle, this legislation will hurt the very people it is intended to help. Loans for people with less than perfect credit will be even more difficult to obtain and place the dream of home ownership further out of reach. Borrowers with excellent credit, income and employment seeking conforming loans would be hurt by this legislation. The measures we have taken to provide for loan officer licensure, provide greater penalties for assessment fraud and coercion of fraud, coupled with greater resources in the Office of Financial and Insurance Regulation (OFIR) will go a very long way to addressing the current mortgage lending/crisis. These bills miss the target.”

Rep. Angerer moved that House Committees be given leave to meet during the balance of today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. McDowell, Lahti, Gillard, Lindberg, Casperson, Sak, Ball, Bieda, Booher, Brandenburg, Brown, Byrnes, Clack, Condino, Constan, Espinoza, Gonzales, Hammel, Hammon, Hansen, Hopgood, Robert Jones, LaJoy, Kathleen Law, LeBlanc, Moore, Polidori, Shaffer, Alma Smith, Spade, Vagnozzi, Valentine and Meadows offered the following resolution:

House Resolution No. 394.

A resolution declaring Paradise as the Wild Blueberry Capital of the state of Michigan.

Whereas, Paradise, Michigan, once forested in stands of huge white pine, was logged from the 1880s to the 1920s. The cut-over land, swept by fires, provided a natural environment for wild blueberries, one of nature’s “pioneer” plants. Blueberry bushes flourished in the sandy, acidic soil. Fields of “blue gold” covered vast areas and gave rise to a new industry; and

Whereas, At a time when cultivated blueberries were unknown, Paradise’s wild berries were in great demand. Up to 1,500 laborers moved into the area during the summers of the 1920s and 1930s to pick berries. Shoreline steamers transported the blueberry cargo to Detroit, Chicago and Buffalo; and

Whereas, The local blueberry industry peaked during the Great Depression, but declined with the advent of World War II when labor for picking was scarce, and the natural succession of vegetation and forest reduced the number of blueberry bushes; and

Whereas, Wild blueberries still thrive in the area. The low-bush varieties, found in open, sunny areas, ripen from late July through August. High-bush berries may be found in shade and ripen from late August through September; and

Whereas, The Paradise community celebrates this local heritage with its annual Wild Blueberry Festival. The Wild Blueberry Festival began in 1983, therefore, on August 15, 16 and 17, 2008, the Paradise community will be celebrating the 25th anniversary of the Wild Blueberry Festival; and

Whereas, Because blueberry production has steadily inclined on a national level, it has become important to recognize and celebrate Paradise’s integral role in this thriving agricultural market; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body offer this expression of our highest tribute to honor Paradise’s historic place in Michigan with the recognition as the Wild Blueberry Capital of the state.

Pending the reference of the resolution to a committee,
 Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.
 The motion prevailed, 3/5 of the members present voting therefor.
 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, June 18:

House Bill Nos.	6240	6241	6242	6243	6244	6245													
Senate Bill Nos.	1383	1384	1385	1386	1387	1388	1389	1390	1391	1392	1393	1394	1395	1396					
	1397	1398	1399																

The Clerk announced that the following Senate bills had been received on Wednesday, June 18:
Senate Bill Nos. **494** **1253** **1318**

Reports of Standing Committees

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

House Bill No. 6099, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.77) by adding section 11a.
 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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: None

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

House Bill No. 6102, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.77) by adding section 12c.
 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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren and Schuitmaker
 Nays: Rep. Rick Jones

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

House Bill No. 6103, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," (MCL 445.61 to 445.77) by adding section 12d.
 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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren and Schuitmaker
Nays: Rep. Rick Jones

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

House Bill No. 6105, entitled

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending section 12a (MCL 445.72a), as added by 2006 PA 566.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker and Stakoe

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 18, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Absent: Rep. David Law

Excused: Rep. David Law

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

House Bill No. 6131, entitled

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

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. Clack, Dean, Accavitti, Hammon, Sheen and Stahl

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, June 18, 2008

Present: Reps. Clack, Dean, Accavitti, Hammon, Sheen and Stahl

Absent: Reps. Wojno, Hoogendyk and Palmer

Excused: Reps. Wojno, Hoogendyk and Palmer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 17, 2008

Present: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Amos, Booher, Caul, Hansen, Proos, Agema and Moss

Absent: Reps. Alma Smith, Brandenburg and Nofs

Messages from the Senate**Senate Bill No. 494, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1h (MCL 247.651h), as added by 1997 PA 79.

The Senate has passed the bill.

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

Senate Bill No. 1253, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," (MCL 129.91 to 129.96) by adding section 7.

The Senate has passed the bill.

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

Senate Bill No. 1318, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of

funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1k.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Energy and Technology from further consideration of **House Bill No. 5120**.

Rep. Tobocman

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

Senate Bill No. 370 referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Introduction of Bills

Reps. Meadows, Alma Smith and Griffin introduced

House Bill No. 6246, entitled

A bill to amend 2006 PA 384, entitled "Driver education provider and instructor act," by amending section 37 (MCL 256.657).

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

Rep. Hopgood introduced

House Bill No. 6247, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

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

Rep. McDowell introduced

House Bill No. 6248, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 2004 PA 497.

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

Reps. Valentine, Lindberg, Donigan, Brown, Leland, Hammel, Miller, Jackson, Kathleen Law, Hood, Ebli, Condino, Corriveau, Coulouris, Hammon and Byrum introduced

House Bill No. 6249, entitled

A bill to amend 1984 PA 274, entitled "Michigan antitrust reform act," by amending the title and sections 6 and 7 (MCL 445.776 and 445.777), the title as amended by 1987 PA 243.

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

Reps. Dean and Valentine introduced

House Bill No. 6250, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 3, 7, and 8 (MCL 445.903, 445.907, and 445.908), section 3 as amended by 2006 PA 508.

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

Reps. Robert Jones, Angerer, Brown, Simpson, Valentine, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Corriveau, Dean, Meadows and Clemente introduced

House Bill No. 6251, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 22225a.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Angerer, Brown, Simpson, Valentine, Robert Jones, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Corriveau, Dean and Meadows introduced

House Bill No. 6252, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20142 (MCL 333.20142).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Corriveau, Simpson, Angerer, Brown, Valentine, Robert Jones, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Dean and Meadows introduced

House Bill No. 6253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21766 (MCL 333.21766), as amended by 2001 PA 243.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Simpson, Angerer, Brown, Valentine, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Corriveau, Dean and Meadows introduced

House Bill No. 6254, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21781 (MCL 333.21781).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Ball, Simpson, Angerer, Brown, Valentine, Robert Jones, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Corriveau, Dean and Meadows introduced

House Bill No. 6255, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21711 (MCL 333.21711).

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Valentine, Angerer, Brown, Simpson, Robert Jones, Donigan, Leland, Ebli, Miller, Meisner, Polidori, Bennett, Corriveau, Dean and Meadows introduced

House Bill No. 6256, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799c (MCL 333.21799c), as amended by 1996 PA 546.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Rep. Gonzales moved that the House adjourn.
The motion prevailed, the time being 5:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 19, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

