

No. 14
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
95th Legislature
REGULAR SESSION OF 2009

House Chamber, Lansing, Wednesday, February 25, 2009.

1:30 p.m.

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

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

e/d/s = entered during session

Rep. Andy Coulouris, from the 95th District, offered the following invocation:

“O Lord,
Open our eyes that we may see the needs of others;
Open our ears that we may hear their cries;
Open our hearts so that they need not be without relief;
Let us not be afraid to defend the weak because of the anger of the strong, nor afraid to defend the poor because of the anger of the rich.
Show us where love and hope and faith are needed, and use us to bring them to those places.
And so open our eyes and our ears that we may this day be able to do some work of peace for Thee.
Amen.”

Rep. Opsommer moved that Rep. Elsenheimer be excused from today’s session.
The motion prevailed.

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

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

House Bill No. 4045, entitled

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

The bill was read a second time.

Rep. Bettie Scott moved to amend the bill as follows:

1. Amend page 7, following line 8, by inserting:

“(10) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS ACT, FOR ANY CERTIFICATE ISSUED AS A RESULT OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2)(N), THE EFFECTIVE DATE OF THE CERTIFICATE SHALL BE DECEMBER 31 OF THE YEAR IMMEDIATELY PRECEDING THE YEAR IN WHICH THE CERTIFICATE IS APPROVED BY THE QUALIFIED ASSESSING AUTHORITY. IF GRANTING THE CERTIFICATE FOR A FACILITY DESCRIBED IN SUBSECTION (2)(N) RESULTS IN AN OVERPAYMENT OF THE TAX, A REBATE, INCLUDING ANY INTEREST AND PENALTIES PAID, SHALL BE MADE TO THE TAXPAYER BY THE LOCAL TAX COLLECTING UNIT IF THE LOCAL TAX COLLECTING UNIT HAS POSSESSION OF THE TAX ROLL OR BY THE COUNTY TREASURER IF THE COUNTY HAS POSSESSION OF THE TAX ROLL, WITHIN 30 DAYS OF THE DATE THE CERTIFICATE WAS GRANTED. THE REBATE SHALL BE WITHOUT INTEREST.”

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

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

The motion prevailed.

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

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

Rep. Angerer moved that Rep. Tlaib 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. 4045, entitled

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

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

Roll Call No. 8

Yeas—102

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

Nays—5

Agema	Genetski	Green	Rogers
Amash			

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Liss, Terry Brown, Constan, Gonzales, Hammel, Hansen, Haugh, Robert Jones, Leland, Lemmons, Polidori, Segal, Spade, Warren, Rogers, Slavens, Lisa Brown, Durhal, Haase, Huckleberry, Meadows and Cushingberry offered the following resolution:

House Resolution No. 31.

A resolution to encourage the Michigan Department of Natural Resources and the Michigan Public Service Commission to promote Project Safe Passage.

Whereas, Radar studies show that millions of birds use the skies over Michigan during their spring and fall migrations. These birds fly in a broad front across the Great Lakes, often at night. Over 250 species pass over Michigan during their migration. Many of these species are declining steeply in numbers; and

Whereas, Birds flying in the vicinity of tall buildings are attracted and confused by the lights on these buildings. The birds, exhausted by their long flights, crash into the lighted, high-rise buildings; and

Whereas, Michigan residents are urged to turn out unnecessary lights between the hours of 11:00 p.m. and 6:00 a.m., especially during the spring and fall migrations. Turning off unnecessary lights will save money, reduce pollution, save energy, and save the lives of these birds; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Michigan Department of Natural Resources and the Michigan Public Service Commission to promote Project Safe Passage to protect migrating birds; and be it further

Resolved, That copies of this resolution be transmitted to the Director the Michigan Department of Natural Resources, the Chairman of the Public Service Commission, and the Governor of Michigan.

The resolution was referred to the Committee on Great Lakes and Environment.

Reps. Miller, Terry Brown, Constan, Dean, Gonzales, Hammel, Haugh, Robert Jones, LeBlanc, Leland, Lemmons, McDowell, Neumann, Polidori, Roy Schmidt, Segal, Sheltroun, Spade, Stanley, Warren, Mayes, Melton, Meltzer, Rocca, Slavens, Lisa Brown, Durhal, Geiss, Haase, Huckleberry, Liss, Meadows and Cushingberry offered the following resolution:

House Resolution No. 32.

A resolution to urge the President of the United States to renegotiate the North American Free Trade Agreement (NAFTA).

Whereas, Promises made during the debate about NAFTA have not materialized. Wages have not increased in Mexico and United States businesses and workers have been harmed. Since the implementation of NAFTA in 1994, the country, and especially Michigan, has seen massive job loss.

Whereas, Many persons across the country believe a renegotiation of NAFTA is necessary to safeguard national sovereignty and promote democratic rights. Specifically, the new agreement should eliminate the right of foreign investors to sue governments over policy measures enacted in the public interest. Existing NAFTA provisions favor the rights of foreign investors over the democratic rights of Americans; and

Whereas, The new agreement must protect family and small scale subsistence farms by permitting tariffs that offset subsidies on imported agricultural commodities. Also, provisions that discourage food safety laws and protection of the environment and natural resources must be repealed; and

Whereas, Provisions that fully safeguard workers' rights in all countries should be enacted, and major development assistance should be provided to poorer regions to reduce inequalities and thereby reduce the incentive for workers to relocate to other countries out of desperate economic need; and

Whereas, A complete study and review of the impact of NAFTA should be conducted. A new impartial and transparent mechanism should be developed for settling disputes. Moreover, the Security and Prosperity Partnership is a threat to national sovereignty and should be terminated immediately; now, therefore, be it

Resolved by the House of Representatives, That we urge the President of the United States to renegotiate the North American Free Trade Agreement (NAFTA); and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States.

The resolution was referred to the Committee on Commerce.

Reps. Terry Brown, Spade, Haase, Ball, Constan, Dean, Gonzales, Hammel, Hansen, Haugh, Robert Jones, Lahti, LeBlanc, Leland, Lemmons, Lori, McDowell, Neumann, Opsommer, Pearce, Polidori, Proos, Roy Schmidt, Segal, Sheltroun, Stanley, Tlaib, Tyler, Warren, Mayes, Rocca, Rogers, Slavens, Lisa Brown, Durhal, Geiss, Huckleberry, Liss, Meadows, Schuitmaker, Cushingberry and Donigan offered the following resolution:

House Resolution No. 33.

A resolution recognizing the week of March 1-7, 2009, as School Social Worker Week in the state of Michigan.

Whereas, The Michigan Association of School Social Workers is a professional organization serving more than 900 members; and

Whereas, School social workers are vital members of a school's educational team, playing a central role in creating partnerships among home, school, and community to ensure student academic success and promote effective transitions for students from school to productive adult lives; and

Whereas, School social workers specialize in providing services to all students, especially those who face enormous challenges from poverty, discrimination, abuse and neglect, addiction, divorce of parents, loss of a loved one, developmental delays, cognitive and learning disabilities, emotional impairment, autistic spectrum disorder, as well as physical and other health problems; and

Whereas, There is a growing need for school districts to provide the services offered by school social workers to address school violence, bullying, peer pressure, and student behavior problems which reduce the opportunity for all students to achieve their full potential for academic success and personal development; and

Whereas, School social workers are in a unique position to address pressing social and environmental problems, such as homelessness, student and family crises, and the problems of truancy, unplanned pregnancy, and school drop-outs; and

Whereas, One in ten children suffers from a serious emotional or mental disturbance, but over half their primary-care providers never ask parents if they have concerns about the mental health of their child, and parents of one in four children diagnosed with a serious mental health problem report difficulty getting needed mental health services for their children. School mental health services, including the diagnostic, therapeutic, referral, and case management services provided by school social workers, are a readily accessible and effective way to help families obtain the mental health services their children need to improve their emotional well-being and educational outcomes; and

Whereas, School social workers are uniquely trained, licensed, and certified professional mental health service providers whose specialized clinical skills, extensive experience, and ongoing professional development equip them to understand child development and the psychopathology of mental health conditions, such as depression, anxiety, autism spectrum disorder, eating disorders, attention deficit and hyperactivity disorder, and the other emotional and adjustment problems that face our children; and

Whereas, School social workers develop and implement treatment plans, behavior intervention plans, and prevention and crisis intervention services that deal with school violence, suicide, and other traumatic events that have significant impacts on students, teachers, and on the entire school; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize March 1-7, 2009, as School Social Work Week in the state of Michigan; and be it further

Resolved, That we congratulate the Michigan Association of School Social Workers and commend the organization for the valuable role it plays in providing for the mental, physical, and emotional well-being of the young people of the great state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Association of School Social Workers.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Green offered the following resolution:

House Resolution No. 34.

A resolution to memorialize the United States Congress to continue funding the F-22 Raptor fifth generation air dominance stealth fighter.

Whereas, Since 1944, America has enjoyed air superiority over the battlefields on which our Army and Marine Corps fought and over the seas where our Navy sailed. This air superiority has allowed us to conduct the reconnaissance, ground attack, interdiction, strike, and re-supply missions that enable our forces to engage and destroy enemy forces on the land and sea. Just as critically but less appreciated because of our long run of air superiority, keeping enemy aircraft at bay protects our ground forces and ships from the devastating effects of modern enemy air power. The F-22 Raptor is the latest fighter plane our aerospace industry has developed to continue our record of aerial excellence through air dominance; and

Whereas, The United States Air Force is currently flying the F-22 Raptor as our most advanced air dominance system. It will replace the more than 25-year-old air superiority F-15 Eagle as our first line of defense in the skies. The Raptor's agility, stealth, situational awareness built on fused multiple sensors, speed, and long-range lethal weapons provide our F-22 pilots with the tools they need to dominate the skies in any future conflict. In simulated combat, the Raptor has compiled a lopsided record against every adversary, in the air or on the ground. On these Raptor wings, the future of air dominance flies. Yet we are contracted to building only 183 of these vital aircraft, which is a force less than half the size the Air Force considers necessary. Potential enemies will have access to advanced fighters and sophisticated and lethal surface-to-air defense systems that China and Russia are developing and fielding today. Our Air Force's and America's reliance on such a small number of new frontline aircraft, coupled with aging legacy F-16s, F-15s and A-10s, poses a very real strategic risk; and

Whereas, With over 900 contractors in 44 states, including Michigan, the Raptor is backed by the full industrial and knowledge base of the arsenal of democracy. The economic benefits that flow to the states such as Michigan are an important part of achieving economic growth in high-tech areas. Michigan, especially, needs to retain high-tech jobs that participating in this revolutionary high-tech program provides. Michigan communities are enthusiastic partners in producing this superb aircraft and continuing Michigan's historic role in building the weapons that allow us to defeat ruthless enemies who would wreck what we have built; and

Whereas, Two decades of monumental national effort to produce just 183 Raptors would be squandered if production were ended prematurely. The nationwide network of F-22 suppliers will begin to close down or move on to other work if no additional lots of F-22s are funded. As a hedge against an uncertain future, Congress must fund more F-22 Raptors. Advance Purchase funding for the tenth lot of at least 20 F-22s needs to be included in the fiscal year 2009 budget in order to keep the F-22 supply chain intact and continue production. Once the production network is disbanded, it can only be reassembled at great cost in time and resources. We may not have the luxury of time in an emergency; now, therefore, be it

Resolved by the House of Representatives, that we memorialize the United States Congress to continue funding the F-22 Raptor fifth generation air dominance stealth fighter; and be it further

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

The resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Sheltroun, Elsenheimer, Hansen, Lahti, Nerat, Ball, Booher, Terry Brown, Caul, Constan, Dean, Gonzales, Green, Hammel, Haugh, Rick Jones, Robert Jones, LeBlanc, Lemmons, Lori, McDowell, Neumann, Opsommer, Pearce, Polidori, Proos, Roy Schmidt, Spade, Horn, Mayes, Moss, Rogers, Lisa Brown, Durhal, Haase, Huckleberry, Liss, Meadows and Cushingberry offered the following concurrent resolution:

House Concurrent Resolution No. 8.

A concurrent resolution to request that the U.S. Fish and Wildlife Service extend indefinitely the depredation order for double-crested cormorants.

Whereas, The double-crested cormorants are dramatically depleting the public and private fishing industry throughout the Great Lakes and on inland lakes and streams. The destruction of the fisheries population is causing havoc to our recreational, tourist, and commercial industries; and

Whereas, The cormorants are also causing tree and vegetation destruction at an accelerated rate. The destruction is not limited to natural resources, but includes bridge and lighthouse deterioration. Public swimming beaches are being closed due to cormorant feces which poses a public health hazard in addition to its excessive and unpleasant odor; and

Whereas, The increase of the double-crested cormorant population has caused significant devastation to Michigan's Les Cheneaux Islands, destroying vegetation and depleting the yellow perch population. The cormorant population increase is being reversed through the U.S. Department of Agriculture Wildlife Services reduction program which includes egg oiling. This program has led to improved fish reproduction and improvements in the fish populations; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request that the U.S. Fish and Wildlife Service extend indefinitely the depredation order for double-crested Cormorants; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the U.S. Fish and Wildlife Service, the United States Department of Agriculture Wildlife Services Division, and the members of the Michigan congressional delegation.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reps. Opsommer, Ball, Booher, Terry Brown, Caul, Crawford, Dean, Green, Hammel, Hansen, Haugh, Rick Jones, Kowall, Lahti, LeBlanc, Lori, Lund, McDowell, McMillin, Miller, Neumann, Pearce, Proos, Paul Scott, Sheltroun, Spade, Tyler, Haines, Horn, Knollenberg, Mayes, Meltzer, Moss, Rocca, Rogers, Haase and Cushingberry offered the following concurrent resolution:

House Concurrent Resolution No. 9.

A concurrent resolution to reaffirm the right to bear arms under the Michigan Constitution, the supremacy of the Second Amendment over the Commerce Clause, and the intent of the Michigan Legislature to not recognize or enforce unconstitutional firearm restrictions placed upon its citizens.

Whereas, Article I, Section 6 of the Michigan Constitution, clearly affirms a right to bear arms. This provision prescribes that the primary purpose of the right to bear arms is not related solely to hunting but clearly allows Michigan citizen's to be able to protect one's self, family, and possessions from the private lawlessness of other persons or potential tyranny of governments; and

Whereas, There are also federalism provisions under the United States Constitution that prohibit the federal government from interfering with the right to bear arms within Michigan. The Tenth Amendment guarantees to the states and their people all powers not granted to the federal government elsewhere in the United States Constitution; and

Whereas, Article I, Section 8 of the United States Constitution provides the federal government with the power to regulate commerce. However, this provision only empowers the government to regulate commerce between states and cannot be used to impose regulations onto firearms beyond this scope or that are at cross-purposes with the Second Amendment; and

Whereas, Several new federal laws have been proposed that would overstep the bounds of both the Second Amendment, Michigan's sovereign constitution, and its firearm laws; and

Whereas, It is not the intent of the Michigan Legislature to pass laws that would mandate the use of "coded," "serialized," or "chipped" ammunition, to create databases of such ammunition, or to outlaw the ability of people to hand load otherwise lawful ammunition. Furthermore, it is not the intent of the Michigan Legislature to pass laws that would mandate the use of so called "smart gun" technology that wirelessly or otherwise authenticates and enables a firearm to be used by only one person. Furthermore, it is not the intent of the Michigan Legislature to allow for licensing schemes for the purchase of firearms that would mandate facial recognition, iris scans, fingerprinting, or other advanced biometric technology. Furthermore, it is not the intent of the Michigan Legislature to regulate the private transfer or sale of firearms beyond what is currently required by law. Furthermore, it is not the intent of the Michigan Legislature to pass laws that would make firearm ownership or use dependent upon the purchase of personal insurance policies or other similar risk instruments. Furthermore, it is not the intent of the Michigan Legislature to prohibit firearm ownership to individuals based upon their reporting of the past use of pain killers or other medications for surgical recovery, dental procedures, and other legitimate medical purposes. Furthermore, it is not the intent of the Michigan Legislature to pass laws that would infringe upon the ability of firearm owners to keep such weapons loaded and readily accessible within their homes, or that would allow for officials to inspect firearms within their homes without first obtaining a valid search warrant issued in conjunction with a lawful criminal investigation. It is however the intent of the Michigan Legislature to ensure that such firearm schemes are not imposed upon the citizens of Michigan by either the federal government or itself, and would view such infringements as violations of both the Second Amendment and the Michigan Constitution; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we reaffirm the right to bear arms under the Michigan Constitution, the supremacy of the Second Amendment over the Commerce Clause, and the intent of the Michigan Legislature to not recognize or enforce unconstitutional firearm restrictions placed upon its citizens.

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

The concurrent resolution was referred to the Committee on Judiciary.

Rep. LeBlanc offered the following concurrent resolution:

House Concurrent Resolution No. 10.

A concurrent resolution to express the intent of the legislature to tie changes in the salaries of executive department directors to the average rate of the changes determined by the State Officers' Compensation Commission for the state's principal elected officials.

Whereas, The financial difficulties facing the people of Michigan have endured for many years. The continuing loss of jobs recently made worse by the development of the credit crisis that has gripped the country has made it clear that significant changes must take place in government; and

Whereas, Pursuant to Article IV, Section 12 of the Michigan Constitution and 1968 PA 357, the State Officers' Compensation Commission (SOCC) sets the salary and expense allowance levels for the Governor, Lieutenant Governor, Attorney General, Secretary of State, members of the Legislature, and Justices of the Michigan Supreme Court. The Governor, in her 2009 State of the State address, has called upon the SOCC to reduce the salary levels of most of these officers by 10 percent. House Concurrent Resolution No. 3, which was adopted by a 108 to 1 margin by the House, makes a similar request to the SOCC; and

Whereas, The move to establish salary levels for state leaders that more appropriately reflect the realities facing many in the private sector should also be extended to the nonelected executive department heads of state government. In addition to the actual benefits to the state budget, implementing such a policy through the appropriations process will also be reassuring to the taxpayers as a recognition of the challenges facing so many of our families; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the intent of the legislature to tie changes in the salaries of executive department directors to the average rate of the changes determined by the State Officers' Compensation Commission for the state's principal elected officials; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

The concurrent resolution was referred to the Committee on Government Operations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, February 25:

House Bill Nos.	4394	4395	4396	4397	4398	4399	4400	4401	4402	4403	4404	4405	4406	4407	
	4408	4409	4410	4411	4412	4413	4414	4415	4416	4417	4418	4419	4420	4421	
	4422	4423	4424	4425	4426	4427	4428	4429	4430	4431	4432	4433	4434	4435	
	4436	4437	4438	4439	4440	4441	4442	4443	4444	4445	4446	4447	4448	4449	
	4450	4451	4452	4453	4454	4455	4456	4457	4458	4459	4460	4461	4462	4463	
	4464														
House Joint Resolution															N

Reports of Standing Committees

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

House Bill No. 4230, 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.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Clemente, Stanley, Byrnes, 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. 4353, 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.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Clemente, Stanley, Byrnes, 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, February 25, 2009

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

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

House Bill No. 4378, entitled

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe

the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 6a (MCL 4.416a), as added by 1994 PA 383.

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. Angerer, Haase, Lisa Brown, Scripps, Slavens, Meltzer and Kurtz

Nays: None

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

House Joint Resolution N, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 55 to article IV, to reduce compensation for state legislators who have unexcused absences from legislative session.

Without amendment and with the recommendation that the joint resolution be adopted.

The joint resolution was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

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, February 25, 2009

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

Absent: Reps. Donigan and Pearce

Excused: Reps. Donigan and Pearce

The Committee on Tax Policy, by Rep. Ebli, Chair, reported

House Bill No. 4035, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

With the recommendation that the bill be referred to the Committee on Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ebli, Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Calley, Kowall, Lund, Meekhof, Stamas and Walsh

Nays: None

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

The Committee on Tax Policy, by Rep. Ebli, Chair, reported

House Bill No. 4119, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 59 (MCL 211.59), as amended by 2006 PA 626.

With the recommendation that the bill be referred to the Committee on Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ebli, Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Stamas and Walsh

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ebli, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, February 25, 2009

Present: Reps. Ebli, Melton, Barnett, Coulouris, Robert Jones, Kandrevas, Lipton, Mayes, Slezak, Warren, Calley, Kowall, Lund, Meekhof, Stamas and Walsh

Absent: Rep. Meltzer

Excused: Rep. Meltzer

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

House Bill No. 4073, entitled

A bill to authorize and create irrevocable trusts for the purpose of holding, investing, and distributing assets to be used for certain postemployment health care benefits; to set forth certain rights that public employees have in retirement health care benefits under certain circumstances; to provide for the establishment and amendment of certain irrevocable trust agreements; and to prescribe certain powers and duties of certain retirement systems, state departments, public officials, and public employees.

With the recommendation that the substitute (H-4) 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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren and Rocca

Nays: None

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

House Bill No. 4075, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," (MCL 141.2101 to 141.2821) by adding section 518.

With the recommendation that the substitute (H-5) 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. Meadows, Lipton, Lisa Brown, Constan, Corriveau, Coulouris, Kandrevas, Bettie Scott, Warren and Rocca

Nays: Reps. Schuitmaker, Amash, Haveman and Kowall

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2009

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

The Committee on Labor, by Rep. Lindberg, Chair, reported

House Bill No. 4239, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 11 (MCL 421.11), as amended by 2005 PA 182.

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. Lindberg, Kennedy, Kandrevas, Liss, Bettie Scott, Slezak, Amash, Daley, Haveman and McMillin

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2009

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

Absent: Rep. Young

Excused: Rep. Young

The Committee on Regulatory Reform, by Rep. Johnson, Chair, reported

House Bill No. 4123, entitled

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

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. Johnson, Haugh, Byrnes, Griffin, Melton, Stanley, Rocca, Crawford, Rick Jones and Stamas

Nays: None

The Committee on Regulatory Reform, by Rep. Johnson, Chair, reported

Senate Bill No. 202, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 603 (MCL 436.1603), as amended by 2008 PA 218.

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. Johnson, Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley, Rocca, Crawford, Rick Jones and Stamas

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Johnson, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, February 25, 2009

Present: Reps. Johnson, Haugh, Byrnes, Griffin, Melton, Bettie Scott, Stanley, Rocca, Crawford, Rick Jones and Stamas

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, February 25, 2009

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

Absent: Rep. Womack

Excused: Rep. Womack

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2009

Present: Reps. Valentine, Womack, Liss, Neumann, Slavens, Kurtz, McMillin, Moore and Pavlov

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 25, 2009

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Neumann, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Wednesday, February 25, 2009

Present: Reps. Neumann, Slavens, Constan, Robert Jones, Lemmons, Ball, DeShazor and Moore

Absent: Rep. Tyler

Excused: Rep. Tyler

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4043**.

Rep. Angerer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4044**.

Rep. Angerer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4121**.

Rep. Angerer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4150**.

Rep. Angerer

Communications from State Officers

The following communication from the Department of Energy, Labor and Economic Growth was received and read:

February 23, 2009

Enclosed is a copy of the Financial Statements for the Unemployment Insurance Agency's Administrative Fund, Unemployment Compensation Fund and Contingent Fund for the fiscal year ended September 30, 2008.

Inquiries regarding this information may be address to either Mr. Rodger M. Palm, Director of the Trust Fund, Tax and Field Audit Division at (313) 456-2405 or myself at (313) 456-2507.

Sincerely,
Deborah A. Ciccone, Manager
U.I. Trust Fund Accounting

The communication was referred to the Clerk.

Introduction of Bills

Reps. Lund, Lori, Meltzer, Daley, Kurtz, Tyler and Hansen introduced

House Bill No. 4465, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 8a (MCL 287.338a), as added by 1997 PA 7.

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

Reps. Johnson, Durhal, Stanley, Bettie Scott and Cushingberry introduced

House Bill No. 4466, entitled

A bill to provide for a Michigan health insurance system; to provide for governance of the Michigan health insurance system; to establish health care regions; to establish various committees and boards; to create an office of consumer advocacy; to create an inspector general for the Michigan health insurance system; to provide for certain investigations, audits, and reviews; to create certain funds and accounts; to determine eligibility for and benefits of the Michigan health insurance system; to provide for certain reviews; to provide for certain reports; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; and to prescribe penalties and provide remedies.

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

Reps. Meadows, Bledsoe, Miller, Smith, Bauer and Lindberg introduced

House Bill No. 4467, entitled

A bill to establish the right of employees to pursue employment free from religious and political indoctrination; to limit employment actions based on attendance at, or receptivity to, employer-selected political or religious programs or communications; to prohibit retaliation for reporting or pursuing a remedy for a suspected violation of the act; and to provide sanctions and remedies.

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

Reps. Lund, McMillin, Rogers, Moss, Horn, Lori, Denby, Tyler, Bolger, Moore, Rick Jones, Knollenberg, Calley, Amash and Genetski introduced

House Joint Resolution O, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 28 of article IX, to further limit state spending.

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

Rep. Spade moved that the House adjourn.
The motion prevailed, the time being 2:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, February 26, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives