

No. 13
STATE OF MICHIGAN
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House of Representatives
95th Legislature
REGULAR SESSION OF 2010

House Chamber, Lansing, Thursday, February 11, 2010.

10:00 a.m.

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

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

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

e/d/s = entered during session

Rep. Kenneth Kurtz, from the 58th District, offered the following invocation:

“Our dear heavenly Father;

As we enter this chamber today to give our best to the people of this great State, may we be conscious of Your marvelous and eternal love for each one of us. May we realize Your power and Your watchful care over us as individuals and the people we serve. May we each recognize and submit to that wonderful plan that You have for our lives, and may the words of our mouth and the meditation of our hearts be acceptable in Your sight, our Redeemer and Lord. Amen.”

Second Reading of Bills

House Bill No. 5323, entitled

A bill to amend 1965 PA 314, entitled “Public employee retirement system investment act,” by amending sections 13, 15, 17, 19, 19a, 20c, 20d, and 20j (MCL 38.1133, 38.1135, 38.1137, 38.1139, 38.1139a, 38.1140c, 38.1140d, and 38.1140j), sections 13, 19, and 20d as amended and section 19a as added by 2008 PA 425, section 15 as amended and section 20j as added by 1996 PA 485, and sections 17 and 20c as amended by 2000 PA 307.

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

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

Rep. McMillin moved to amend the bill as follows:

1. Amend page 4, line 27, after “made.” by inserting “**ALL INDIVIDUAL EXPENDITURES UNDER THIS SUBSECTION SHALL BE POSTED ON A PUBLIC WEBSITE MONTHLY.**”

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

Rep. Booher moved to amend the bill as follows:

1. Amend page 8, following line 15, by inserting:

“Sec. 16. (1) An investment fiduciary may invest in annuity investment contracts, **LIFE INSURANCE POLICIES**, or participations in separate real estate, mortgage, bond, stock, or other special investment accounts of a life insurance company authorized to do business in this state. An investment in such a separate account shall be considered an investment in stock under section 14 only to the extent that the separate account’s assets include stock, and then only for the purpose of determining the 70% maximum investment limit under section 14. An investment in such a separate account shall also be considered an investment in real or personal property under section 19(1), but only to the extent that the separate account’s assets include real or personal property, and then only for the purpose of determining the 5% maximum investment limit under section 19(1).

(2) An investment fiduciary may invest in the general account of a life insurer authorized to do business in this state under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, but the total amount of assets of any 1 system invested in any 1 insurer shall not exceed 50% of the capital and surplus of the insurer.

(3) A life insurance company under this section shall have been in operation for at least 5 years and have assets under management of more than \$500,000,000.00. The insurance company shall have a claims-paying ability rating no less than single A according to A.M. Best & company or AA- according to Duff & Phelps credit rating corp., and an overall company financial strength rating no less than Aa3 according to Moody’s investors service, inc. or AA- according to Standard & Poor’s ratings group.”

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5323, entitled

A bill to amend 1965 PA 314, entitled “Public employee retirement system investment act,” by amending sections 13, 15, 17, 19, 19a, 20c, 20d, and 20j (MCL 38.1133, 38.1135, 38.1137, 38.1139, 38.1139a, 38.1140c, 38.1140d, and

38.1140j), sections 13, 19, and 20d as amended and section 19a as added by 2008 PA 425, section 15 as amended and section 20j as added by 1996 PA 485, and sections 17 and 20c as amended by 2000 PA 307.

The bill was read a third time.

The question being on the passage of the bill,

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 200.

A resolution to express support of public policies that promote outdoor activities for Michigan's children.

(For text of resolution, see House Journal No. 4, p. 40.)

(The resolution was reported by the Committee on Tourism, Outdoor Recreation and Natural Resources on February 9.)

The question being on the adoption of the resolution,

The resolution was adopted.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, February 11, for her approval of the following bill:

Enrolled House Bill No. 4723 at 9:46 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, February 11:

House Bill Nos. 5803 5804

Senate Bill Nos. 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135

The Clerk announced that the following Senate bills had been received on Thursday, February 11:

Senate Bill Nos. 251 1092

Reports of Standing Committees

The Committee on Education, by Rep. Melton, Chair, reported

House Bill No. 5650, entitled

A bill to amend an act of the Territorial Laws, p. 1131, vol. III, approved April 22, 1833, entitled "An act to establish Kalamazoo college and to prescribe its powers and duties," by amending section 3 (MCL 390.753), as amended by 1985 PA 203.

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. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Polidori, Roberts, Pavlov, Amash, Ball, DeShazor, McMillin, Pearce, Tyler and Walsh

Nays: None

The Committee on Education, by Rep. Melton, Chair, reported

Senate Bill No. 1010, entitled

A bill to amend an act of the Territorial Laws, p. 1131, vol. III, approved April 22, 1833, entitled "An act to establish Kalamazoo college and to prescribe its powers and duties," by amending section 3 (MCL 390.753), as amended by 1985 PA 203.

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. Melton, Lisa Brown, Bledsoe, Byrum, Corriveau, Geiss, Haase, Kennedy, Lindberg, Polidori, Roberts, Pavlov, Amash, Ball, DeShazor, McMillin, Pearce, Tyler and Walsh

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 11, 2010

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

Absent: Reps. Nathan, Sheltrown, Valentine and Paul Scott

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 11, 2010

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

Absent: Rep. Mayes

Excused: Rep. Mayes

Messages from the Senate**Senate Bill No. 251, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2010; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 1092, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 12 (MCL 125.2692), as amended by 2002 PA 745.

The Senate has passed the bill.

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

Notices

February 11, 2010

Mr. Rich J. Brown, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, MI 48913

Dear Mr. Clerk:

Pursuant to Public Act 379 of 2008, I hereby appoint, Mr. Dan Kuhn, to the State 9-1-1 Committee.
Thank you for your attention to this matter.

Regards,
Andy Dillon
Speaker of the House
District 17

Introduction of Bills

Rep. Meadows introduced

House Bill No. 5805, 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 Regulatory Reform.

Reps. Haugh and Johnson introduced

House Bill No. 5806, entitled

A bill to amend 1965 PA 285, entitled "Professional investigator licensure act," by amending section 4 (MCL 338.824), as amended by 2008 PA 146.

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

Reps. Hansen, Booher, Huckleberry, Daley, Haveman, Meekhof, Moore, Stamas, Kurtz, DeShazor, Tyler, Mayes, Sheltroun, Caul, Horn, Espinoza, Terry Brown, Polidori, Pavlov, Wayne Schmidt, Moss, Haines, Denby, Bolger, Calley, Walsh, Lori, Neumann, Proos, Elsenheimer, Schuitmaker, Hildenbrand, Opsommer, Agema, Green, Rogers, Marleau and LeBlanc introduced

House Bill No. 5807, entitled

A bill to amend 2000 PA 190, entitled "Privately owned cervidae producers marketing act," by amending sections 2, 3, 4, 5, 6, 7, and 10 (MCL 287.952, 287.953, 287.954, 287.955, 287.956, 287.957, and 287.960), as amended by 2006 PA 561.

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

Reps. Byrnes, Roberts, Lisa Brown, Bettie Scott and Womack introduced

House Bill No. 5808, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88a (MCL 125.2088a), as amended by 2006 PA 639.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Tyler moved that the House adjourn.
The motion prevailed, the time being 11:30 a.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 16, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives