

No. 42
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House Chamber, Lansing, Thursday, May 14, 2009.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rep. Kenneth B. Horn, from the 94th District, offered the following invocation:

“Just recently I had the opportunity to visit with police officers at the Second Annual Blessing of the Badges in my region and today I dedicate this invocation to our police officers, including the sergeants that are with us today.

Dear Father: Thank You for bringing us here today.

Let us look to You for guidance. Grant each of us healthy minds and bodies.

Enlighten and direct our hearts with understanding, compassion and humility.

Let us remember the men and women in our armed services, and particularly those who make their home in Michigan.

Let us also remember those men and women who serve in law enforcement and fire departments to protect us each and every day.

Look down upon those gathered here and give us wisdom and strength as You continue Your work through us.

In Your name we pray, Amen.”

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 79.

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

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

(The resolution was reported by the Committee on Agriculture on May 13.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 4261, entitled

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

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

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

Rep. Liss 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. 4261, entitled

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

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

Roll Call No. 236

Yeas—92

Angerer
Ball
Barnett
Bauer
Bennett
Bledsoe

Donigan
Durhal
Ebli
Espinoza
Geiss
Gonzales

Leland
Lemmons
Lindberg
Lipton
Liss
Lori

Schmidt, R.
Schmidt, W.
Schuitmaker
Scott, B.
Scott, P.
Scripps

Bolger	Green	Lund	Segal
Booher	Gregory	Marleau	Sheltrown
Brown, L.	Griffin	Mayes	Simpson
Brown, T.	Haase	McDowell	Slavens
Byrnes	Haines	Meadows	Slezak
Byrum	Hammel	Meekhof	Smith
Calley	Hansen	Melton	Spade
Caul	Haugh	Miller	Stamas
Clemente	Horn	Moore	Stanley
Constan	Huckleberry	Nathan	Switalski
Corriveau	Jackson	Nerat	Tlaib
Coulouris	Johnson	Neumann	Tyler
Crawford	Jones, Robert	Pearce	Valentine
Cushingberry	Kandrevas	Polidori	Walsh
Dean	Kennedy	Proos	Warren
DeShazor	Lahti	Roberts	Womack
Dillon	LeBlanc	Rocca	Young

Nays—18

Agema	Genetski	Kowall	Moss
Amash	Haveman	Kurtz	Opsommer
Daley	Hildenbrand	McMillin	Pavlov
Denby	Jones, Rick	Meltzer	Rogers
Elsenheimer	Knollenberg		

In The Chair: Espinoza

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.

Reps. Angerer, Barnett, Bledsoe, Lisa Brown, Terry Brown, Byrnes, Byrum, Constan, Dean, Durhal, Espinoza, Gonzales, Haase, Haugh, Huckleberry, Jackson, Johnson, Robert Jones, Kandrevas, Kennedy, Lahti, Lipton, Mayes, McDowell, Melton, Nathan, Neumann, Polidori, Roberts, Schuitmaker, Bettie Scott, Scripps, Segal, Slavens, Slezak, Spade, Stanley, Switalski, Tlaib, Valentine, Warren and Young were named co-sponsors of the bill.

Rep. Knollenberg, 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 voted NO on HB 4261 despite voting yes on a similar bill last year, and while ironically voting YES for its sister bill HB 4337. I support the concept of increasing voter participation as I believe most people do, but not at the expense of the sanctity, privacy, and security of the voting process or in ways that would give special interests an upper hand in identifying and targeting voters. In the intervening year, special interests and heavily funded groups like ACORN have demonstrated their willingness to use fraud and questionable tactics in registering voters, so a close look at how HB 4261 could be used is warranted.

Pre-registration of 16 years would have two main consequences - since youth are a completely unidentified and presumably the most impressionable group, high schools would become a politicized battleground, distracting from education. Certainly, civics and government should be taught in high schools, in as neutral a way possible. HB 4261 not only makes high school students the next most logical battleground - but it gives special interest groups the names and addresses of specific students whom would become the target of massive advertising campaigns. By including such names the QVF,

it also presents the possibility for error by clerks in accidentally allowing them to vote earlier, fraud by outsiders in a number of ways, and in introducing new social pressures against students that might intrude on how they handle their right to privacy and secrecy of their vote.

HB 4337 corrects some of the defects in HB 4261, by keeping the young people in a separate file from the QVF and not releasing it to clerks until they are 18. While HB 4337 corrects some of those defects, it does not change the fact that high schools will become more politicized in general and students will be more targeted for mass mail, robo-calls, and other tools of organized campaigning. In this sense, HB 4261 gives special interests and those with more resources a campaigning advantage and may be detrimental to democracy in the end.”

Second Reading of Bills

House Bill No. 4337, entitled

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

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

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

Rep. Robert Jones 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. 4337, entitled

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

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

Roll Call No. 237

Yeas—94

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

Nays—16

Agema	Elsenheimer	Kowall	Moss
Amash	Haveman	Kurtz	Opsommer
Daley	Hildenbrand	McMillin	Pavlov
Denby	Jones, Rick	Meltzer	Rogers

In The Chair: Espinoza

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

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.

Reps. Angerer, Barnett, Bauer, Lisa Brown, Terry Brown, Byrnes, Byrum, Clemente, Constan, Dean, Espinoza, Geiss, Gonzales, Haase, Haugh, Huckleberry, Kandrevas, Kennedy, Lahti, Leland, Lipton, Liss, Mayes, McDowell, Meadows, Nathan, Neumann, Polidori, Roberts, Schuitmaker, Scripps, Segal, Sheltroun, Slavens, Switalski, Tlaib, Valentine, Warren and Womack were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4890, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by amending the title, as amended by 2002 PA 304, and by adding chapter 43; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Insurance, by Rep. Byrum, Chair, reported

House Bill No. 4891, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 14, 2009

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

Second Reading of Bills

House Bill No. 4890, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by amending the title, as amended by 2002 PA 304, and by adding chapter 43; and to repeal acts and parts of acts.

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

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

Rep. Byrum 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. 4890, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by amending the title, as amended by 2002 PA 304, and by adding chapter 43; and to repeal acts and parts of acts.

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

Roll Call No. 238

Yeas—109

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

DeShazor
Dillon
Donigan
Durhal

Knollenberg
Kowall
Kurtz

Pavlov
Pearce
Polidori

Warren
Womack
Young

Nays—1

Amash

In The Chair: Espinoza

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.

Reps. Angerer, Clemente, Durhal, Gonzales, Griffin, Hildenbrand, Robert Jones, Lemmons and Mayes were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4891, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

The bill was read a second time.

Rep. Byrum 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. 4891, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15a of chapter XVII (MCL 777.15a), as added by 2002 PA 206.

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

Roll Call No. 239

Yeas—108

Angerer
Ball
Barnett
Bauer
Bennett
Bledsoe
Bolger
Booher
Brown, L.
Brown, T.
Byrnes
Byrum
Calley

Ebli
Elsenheimer
Espinoza
Geiss
Genetski
Gonzales
Green
Gregory
Griffin
Haase
Haines
Hammel
Hansen

Lahti
LeBlanc
Leland
Lemmons
Lindberg
Lipton
Liss
Lori
Lund
Marleau
Mayes
McDowell
McMillin

Proos
Roberts
Rocca
Rogers
Schmidt, R.
Schmidt, W.
Schuitmaker
Scott, B.
Scott, P.
Scripps
Segal
Sheltrown
Simpson

Caul	Haugh	Meadows	Slavens
Clemente	Haveman	Meekhof	Slezak
Constan	Hildenbrand	Melton	Smith
Corriveau	Horn	Meltzer	Spade
Coulouris	Huckleberry	Miller	Stamas
Crawford	Jackson	Moore	Stanley
Cushingberry	Johnson	Moss	Switalski
Daley	Jones, Rick	Nathan	Tlaib
Dean	Jones, Robert	Nerat	Tyler
Denby	Kandrevas	Neumann	Valentine
DeShazor	Kennedy	Opsommer	Walsh
Dillon	Knollenberg	Pavlov	Warren
Donigan	Kowall	Pearce	Womack
Durhal	Kurtz	Polidori	Young

Nays—2

Agema

Amash

In The Chair: Espinoza

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.

Reps. Angerer, Crawford, Durhal, Geiss, Horn, Robert Jones, Lahti, Marleau, Mayes, McDowell, Melton, Opsommer, Schuitmaker, Bettie Scott and Womack were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Stanley, Bledsoe, Constan, Dean, Durhal, Espinoza, Geiss, Gonzales, Robert Jones, Lahti, Lemmons, Miller, Scripps and Smith offered the following resolution:

House Resolution No. 98.

A resolution to memorialize the United States Congress to eliminate the sentencing disparity for crimes involving different forms of cocaine.

Whereas, Current federal law prescribes different mandatory penalties for cocaine and crack cocaine, with significantly higher punishments for crack cocaine offenses. There is a 5-year minimum prison penalty for a first-time trafficking offense involving 5 grams or more of crack cocaine while it takes 500 grams of powder cocaine to suffer a similar penalty; and

Whereas, This law unfairly targets African American communities where crack is more prevalent. According to the United States Sentencing Commission, the vast majority of crack cocaine offenders are black while the vast majority of powder cocaine offenders are white or Hispanic. This law disproportionately and detrimentally effects African Americans and the communities in which they live; and

Whereas, This law also fails to target drug kingpins and most effects those who conduct lower-level functions in a criminal organization. Most offenders who are actually convicted under this law are those low-level offenders who carry the drugs rather than the powerful individuals in a criminal organization who are making the decisions; and

Whereas, The Obama administration favors shorter jail sentences for crimes involving crack cocaine. The administration believes the goal of the United States Congress should be to completely eliminate the sentencing disparity between crack cocaine and powder cocaine. We believe the Congress should work toward that goal; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to eliminate the sentencing disparity for crimes involving different forms of cocaine; 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 Judiciary.

Rep. Slavens offered the following resolution:

House Resolution No. 99.

A resolution to urge the U.S. Department of Energy to give full consideration to advanced battery manufacturing grant applications from Michigan-based manufacturers.

Whereas, The American Recovery and Reinvestment Act contains \$2 billion in advanced battery manufacturing grants to promote home-grown technologies, create jobs, jump start an advanced manufacturing base, and accelerate the development and commercialization of safe and affordable electric drive vehicle systems; and

Whereas, Michigan is uniquely prepared to offer an American-led solution that meets these important goals. While Michigan's auto industry is facing historic challenges, this is also a time of unprecedented opportunity for our highly skilled workers to take a leadership role in meeting critical national needs. Nine of the world's top original equipment manufacturers (OEMs) and 46 of the top 50 global suppliers have significant investments in Michigan. Much of these investments are now focused on developing the zero or near-zero emission vehicles of the future; and

Whereas, The Michigan Legislature and Governor Granholm have taken aggressive action to organize the state's considerable research, development, and manufacturing assets. Legislation was recently enacted that provides state-level incentives to leverage federal advanced energy investments. These incentives include \$555 million in state tax credits for battery pack manufacturing, research and development, and engineering and construction of production-scale battery plants. Recently, Johnson Controls-Saft Advanced Power Solutions, along with the Ford Motor Company; LG Chem-Compact Power together with General Motors; A123 Systems along with Chrysler LLC; and KD Advanced Battery Group, a joint venture of the Dow Chemical Company, Kokam America, Inc., and Townsend Ventures LLC, have utilized these tax credits. These companies just recently announced plans to invest more than \$1.7 billion to launch advanced battery manufacturing in Michigan; and

Whereas, Michigan is already stimulating second-generation lithium-ion technology development through a Centers of Excellence Program, which includes a University of Michigan spinout, Sakti3. The state has also formed various alliances with other academic and governmental entities, including Oak Ridge National Laboratory and the U.S. Army Tank-Automotive Research, Development and Engineering Center. These alliances position the United States to take immediate advantage of Michigan's strategic assets to establish the supply chain needed to support cell manufacturers, their suppliers, and vehicle OEMs. This supply chain will allow faster deployment throughout the product life cycle, from battery material development to recycling, reuse, and reclamation; and

Whereas, Establishing a North American battery "center of gravity" in Michigan will significantly improve the federal government's ability to meet its ambitious vehicle electrification goals and will pay dividends across the industrial Midwest through the development of a strong supply chain; and

Whereas, As the department begins its review process, it is clear that our nation needs to "get it right the first time" in deploying these recovery grant dollars. We urge you to strongly consider the importance of deploying the unmatched abilities and resources being offered by a state that has time and again persevered through regional and national challenges; now, therefore, be it

Resolved by the House of Representatives, That we the U.S. Department of Energy to give full consideration to advanced battery manufacturing grant applications from Michigan-based manufacturers; and be it further

Resolved, That copies of this resolution be transmitted to the Secretary of the U.S. Department of Energy.

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Dillon offered the following resolution:

House Resolution No. 100.

A resolution to memorialize the Congress of the United States to exempt the auto industry from antitrust provisions for a limited time to facilitate the consolidation of the auto supplier industry in an orderly fashion.

Whereas, The auto industry, for generations the bedrock of American manufacturing might, is undergoing unprecedented transformations. The convergence of a variety of factors, most notably the erosion of credit markets, has imperiled not only the traditional "Big 3" domestic companies, but the entire network of auto supplier companies that are critical to the survival of all auto production in this country; and

Whereas, Historic ground has been broken, with federal intervention and bankruptcy at the heart of discussions of strategies trying to assure the survival of the domestic auto industry. The massive contraction underway comes at a time of technological transformation as well, as our nation strives to embark on a more energy efficient course; and

Whereas, Under current antitrust laws, talks among auto manufacturers about how best to assure the viability of suppliers are illegal in many instances. The ability to develop a coordinated response to the crisis at hand is compromised by laws that were enacted under conditions that could not have foreseen the current situation. All parties involved—including the auto suppliers themselves—have a strong stake in a well-reasoned, coordinated effort to assure the emergence of healthy, sustainable companies; and

Whereas, A temporary suspension of certain provisions of federal antitrust statutes, with specific conditions set, as well as whatever other steps are needed to protect suppliers and the auto industry from governmental or private causes of action,

is necessary to achieve the best outcome for suppliers and the entire auto industry. Clearly, such short-term measures will protect the interests of the taxpayers and lead to the most productive outcome for our country; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to exempt the auto industry from antitrust provisions for a limited time to facilitate the consolidation of the auto supplier industry in an orderly fashion; 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 Judiciary.

Rep. Meadows offered the following concurrent resolution:

House Concurrent Resolution No. 21.

A concurrent resolution to memorialize the Congress of the United States to exempt the auto industry from antitrust provisions for a limited time to facilitate the consolidation of the auto supplier industry in an orderly fashion.

Whereas, The auto industry, for generations the bedrock of American manufacturing might, is undergoing unprecedented transformations. The convergence of a variety of factors, most notably the erosion of credit markets, has imperiled not only the traditional “Big 3” domestic companies, but the entire network of auto supplier companies that are critical to the survival of all auto production in this country; and

Whereas, Historic ground has been broken, with federal intervention and bankruptcy at the heart of discussions of strategies trying to assure the survival of the domestic auto industry. The massive contraction underway comes at a time of technological transformation as well, as our nation strives to embark on a more energy efficient course; and

Whereas, Under current antitrust laws, talks among auto manufacturers about how best to assure the viability of suppliers are illegal in many instances. The ability to develop a coordinated response to the crisis at hand is compromised by laws that were enacted under conditions that could not have foreseen the current situation. All parties involved—including the auto suppliers themselves—have a strong stake in a well-reasoned, coordinated effort to assure the emergence of healthy, sustainable companies; and

Whereas, A temporary suspension of certain provisions of federal antitrust statutes, with specific conditions set, as well as whatever other steps are needed to protect suppliers and the auto industry from governmental or private causes of action, is necessary to achieve the best outcome for suppliers and the entire auto industry. Clearly, such short-term measures will protect the interests of the taxpayers and lead to the most productive outcome for our country; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to exempt the auto industry from antitrust provisions for a limited time to facilitate the consolidation of the auto supplier industry in an orderly fashion; 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 concurrent resolution was referred to the Committee on Judiciary.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, May 14:

House Bill Nos. 4933 4934 4935 4936 4937 4938 4939 4940 4941 4942 4943

The Clerk announced that the following Senate bills had been received on Thursday, May 14:

Senate Bill Nos. 264 358 416 433 480 494 495 540

Reports of Standing Committees

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

House Bill No. 4237, entitled

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

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

1. Amend page 2, line 2, after “metal” by striking out “3” and inserting “5”.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 280, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41301, 41305, 41306, 41309, 41311, 41313, and 41323 (MCL 324.41301, 324.41305, 324.41306, 324.41309, 324.41311, 324.41313, and 324.41323), section 41301 as amended by 2005 PA 77, section 41305 as amended and section 41306 as added by 2005 PA 79, section 41309 as amended by 2005 PA 76, sections 41311 and 41313 as added by 2005 PA 80, and section 41323 as added by 2005 PA 75; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Thursday, May 14, 2009

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

Absent: Reps. Ebli and Roberts

Excused: Reps. Ebli and Roberts

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 13, 2009

Present: Reps. Cushingberry, Hammel, Bauer, Bennett, Terry Brown, Dean, Durhal, Espinoza, Gregory, Lahti, LeBlanc, McDowell, Miller, Smith, Spade, Switalski, Tlaib, Moss, Agema, Booher, Caul, Genetski, Green, Haines, Hildenbrand, Lori, Proos, Rogers and Schuitmaker

Absent: Reps. Gonzales and Jackson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 14, 2009

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

Absent: Rep. Pearce

Excused: Rep. Pearce

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrnes, Chair, of the Committee on Transportation, was received and read:
Meeting held on: Thursday, May 14, 2009

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

Absent: Rep. Pearce

Excused: Rep. Pearce

Messages from the Senate**Senate Bill No. 264, entitled**

A bill to prohibit the sale of certain uncertified cigarettes; to provide standards for testing and fire safety certification of cigarettes; to provide remedies and civil sanctions; to provide for the powers and duties of certain state governmental officers and entities; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 358, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as amended by 2008 PA 105.

The Senate has passed the bill.

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

Senate Bill No. 416, entitled

A bill to amend 2005 PA 92, entitled "School bond qualification, approval, and loan act," by amending section 9 (MCL 388.1929), as amended by 2006 PA 71.

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. 433, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 724 (MCL 257.724), as amended by 2005 PA 179.

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. 480, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 515 (MCL 208.1515), as amended by 2007 PA 145.

The Senate has passed the bill.

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

Senate Bill No. 494, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208b, 217a, 232, 801, 802, 803b, 803r, 804, 806, 809, 810b, 811d, 811e, and 811h (MCL 257.208b, 257.217a, 257.232, 257.801, 257.802, 257.803b, 257.803r, 257.804, 257.806, 257.809, 257.810b, 257.811d, 257.811e, and 257.811h), sections 208b and 232 as amended by 2005 PA 173, sections 217a and 804 as amended and section 803r as added by 2003 PA 152, section 801 as amended by 2008 PA 7, section 802 as amended by 2004 PA 163, section 803b as amended by 2004 PA 426, section 806 as amended by 2008 PA 281, section 809 as amended by 2008 PA 280, section 810b as amended by 2006 PA 549, and sections 811d, 811e, and 811h as amended by 2006 PA 562; and to repeal acts and parts of acts.

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. 495, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130, 324.80315, 324.81114, and 324.82156), as amended by 2005 PA 174.

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. 540, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 7 (MCL 28.297), as amended by 2005 PA 172.

The Senate has passed the bill.

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

Notices

Waiver
Of Remaining Session Days

TO: Peter L. Plummer, Executive Director, State Office of Administrative Hearings & Rules
Norene Lind, Administrative Rules Manager, State Office of Administrative Hearings & Rules
Secretary of the Senate
Clerk of the House

FROM: Representative Dudley Spade, Chair
Senator John Pappageorge, Alternate Chair

DATE: May 14, 2009

The Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days pursuant to MCL 24.245a(1), for the proposed rule set dated February 10, 2009 as follows: Department of Community Health—Director's Office—Psychology—General Rules (2009-002 CH).

According to MCL 24.245a(2), if the Committee waives the remaining session days, the State Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,

Representative Dudley Spade
Chair

Senator John Pappageorge
Alternate Chair

Communications from State Officers

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

Notice of Filing
Administrative Rules

May 7, 2009

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6, this is to advise you that the Michigan Department of Treasury and the State Office of Administrative Hearings and Rules filed Administrative Rule #2006-023- TY (Secretary of State Filing #09-05-01) on this date at 4:26 p.m. for the Department of Treasury, entitled "Children of Veterans Tuition Grant Program".

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

Sincerely,

Terri Lynn Land
Secretary of State

Robin L. Houston, Departmental Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

The following communication from the Department of Treasury was received and read:

May 11, 2009

Please find attached one copy of the Principal Residence Exemption Compliance Program Quarterly Report for the period January 1, 2009 – March 31, 2009. The report is required by Public Act 261 of 2008, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$4,749,200.00 included in part 1 for the revenue enhancement program, \$4,249,200.00 shall be used for revenue collection enhancement activities including auditing functions.

(3) The \$500,000.00 balance of the \$4,749,200.00 shall be used for the principal residence exemption compliance program. Along with other program costs, expenditures shall include the development and maintenance of a statewide web-based database created for the purpose of enforcing the principal residence exemption compliance program. The department shall submit quarterly progress reports that include the number of exemptions denied and the revenue received under this program. The legislative auditor general shall complete a performance audit of the principal residence exemption compliance program prior to April 1, 2009. Revenue generated to the state from the principal residence exemption compliance program shall be used to reimburse the state general fund for the \$500,000.00 appropriation prior to any other allocation. Additional funds from the revenue enhancement program and carry-forward appropriations may be used to support costs in excess of \$500,000.00.

Frederick Headen, Director
Bureau of Local Government Services

The communication was referred to the Clerk.

Introduction of Bills

Reps. Wayne Schmidt, Horn, Tyler, Liss and Neumann introduced

House Bill No. 4944, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801i (MCL 257.801i), as added by 2000 PA 36.

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

Reps. Wayne Schmidt and Horn introduced

House Bill No. 4945, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 2008 PA 122, and by adding section 7qq.

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

Reps. Wayne Schmidt and Horn introduced

House Bill No. 4946, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2008 PA 455.

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

Reps. Pearce, McMillin, Opsommer, Rogers and Kowall introduced

House Bill No. 4947, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 310b (MCL 750.310b), as added by 1996 PA 539.

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

Reps. Geiss, Durhal, Espinoza, Kandrevas, Haugh, Roy Schmidt, Young, Griffin, Nerat and Leland introduced

House Bill No. 4948, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2008 PA 19.

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

Reps. Geiss, Durhal, Espinoza, Kandreas, Haugh, Griffin, Nerat and Leland introduced

House Bill No. 4949, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12g of chapter XVII (MCL 777.12g), as amended by 2008 PA 467.

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

Reps. Tlaib, Coulouris, Robert Jones, Young, Nathan, Slavens, Switalski, Durhal, Bettie Scott, Melton, Johnson, Kandreas, Lemmons and Cushingberry introduced

House Bill No. 4950, entitled

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending sections 2 and 8b (MCL 432.202 and 432.208b), section 2 as amended and section 8b as added by 1997 PA 69.

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

Reps. Roy Schmidt, Slezak, Haugh, Womack and Dean introduced

House Bill No. 4951, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 22c.

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

Reps. LeBlanc, Byrnes, Hammel, Barnett, Sheltroun, Angerer, Valentine, Miller, Roberts, McDowell, Lahti, Gonzales, Rick Jones, Hansen, Constan, Haugh, Durhal, Young, Gregory, Walsh, Neumann, Leland, Dean, Genetski, Espinoza, Terry Brown, Simpson, Meadows and Coulouris introduced

House Bill No. 4952, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 24a (MCL 38.1624a), as added by 2004 PA 83.

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

Rep. Melton moved that the House adjourn.

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

Associate Speaker Pro Tempore Espinoza declared the House adjourned until Tuesday, May 19, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

