

**No. 34**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**95th Legislature**  
**REGULAR SESSION OF 2010**

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House Chamber, Lansing, Thursday, April 15, 2010.

12:00 Noon.

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—excused
Amash—present	Ebli—present	Lahti—present	Proos—present
Angerer—present	Elsenheimer—excused	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.—excused	Haase—present	Marleau—excused	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—excused	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. Dian Slavens, from the 21st District, offered the following invocation:

“Dear Heavenly Glorious Father hear our prayer.

Thank You for all You have given to us Lord.

Open our eyes and ears to hear and see the cries of the weak and voiceless.

Lord, give us the strength to remember all of the citizens in this state, even our weak.

Lord, guide us and give us strength to do what is right and serve all the citizens of this great state, during these troubling times.

In Jesus name we pray, Amen.”

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Rep. Angerer moved that Reps. Lisa Brown, Haugh and Polidori be excused from today’s session.  
The motion prevailed.

Rep. Wayne Schmidt moved that Reps. Elsenheimer and Marleau be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 719, entitled

A bill to amend 1895 PA 198, entitled “An act to establish a law uniform with the laws of other states relating to the sealing of deeds and other written instruments,” by amending section 2 (MCL 565.232).

The bill was read a second time.

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 719, entitled

A bill to amend 1895 PA 198, entitled “An act to establish a law uniform with the laws of other states relating to the sealing of deeds and other written instruments,” by amending section 2 (MCL 565.232).

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

#### Roll Call No. 138

#### Yeas—103

Agema  
Amash  
Angerer  
Ball  
Barnett  
Bauer  
Bennett

Durhal  
Ebli  
Espinoza  
Geiss  
Genetski  
Gonzales  
Green

Lahti  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Lipton  
Liss

Roberts  
Rocca  
Rogers  
Schmidt, R.  
Schmidt, W.  
Schuitmaker  
Scott, B.

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

### Nays—0

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.

### Second Reading of Bills

#### Senate Bill No. 720, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," by amending section 3n (MCL 8.3n).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 720, entitled

A bill to amend 1846 RS 1, entitled "Of the statutes," by amending section 3n (MCL 8.3n).

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

### Roll Call No. 139

### Yeas—103

Agema	Durhal	Lahti	Roberts
Amash	Ebli	LeBlanc	Rocca
Angerer	Espinoza	Leland	Rogers
Ball	Geiss	Lemmons	Schmidt, R.
Barnett	Genetski	Lindberg	Schmidt, W.
Bauer	Gonzales	Lipton	Schuitmaker

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

### Nays—0

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

Rep. Haveman moved that the Committee on Energy and Technology be discharged from further consideration of **House Resolution No. 230**.

(For first notice see House Journal No. 33, p. 519.)

The question being on the motion made by Rep. Haveman,

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

The resolution was placed on the order of Reports of Standing Committees.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 230.**

A resolution to urge the Department of Natural Resources and Environment to approve the pending air quality permits for the Wolverine Power Plant and Holland Municipal Expansion projects.

(For text of resolution, see House Journal No. 28, p. 370.)

(The resolution was discharged from the Committee on Energy and Technology on April 15.)

The question being on the adoption of the resolution,

The resolution was adopted.

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Rep. Byrnes, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I am voting no on HR 230 because we should be investing in green energy and the green jobs that it creates. The Legislature should be considering legislation that I have sponsored with Representative Scripps that requires that the current

renewable energy mandate of 10% be increased to 20% by 2020 and 30% by 2035. Doubling or tripling the renewable energy mandates for utilities requires that significantly more energy be produced by non-conventional sources such as wind, solar or biomass. This would be a win for both our economy and our environment.”

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Spade, Crawford, Robert Jones, Kandrevas, LeBlanc, Liss, Mayes, Neumann, Rogers, Tlaib and Valentine offered the following resolution:

#### **House Resolution No. 244.**

A resolution to declare April 2010 as Sexual Assault Awareness and Prevention Month in the state of Michigan.

Whereas, Rape and sexual assault impacts women, children, and men of all racial, cultural, and economic backgrounds; and

Whereas, The American Medical Association has stated that a “woman is raped every 46 seconds in the United States” and that sexual assault is a “silent epidemic”; and

Whereas, Women, children, and men are all victims of sexual assault and it is estimated that one in three women, one in four girls, one in six boys, and one in 11 men will be victims at least once in their lifetimes; and

Whereas, It is estimated by the Bureau of Justice Statistics that over 65 percent of rapes are never reported to police; and

Whereas, Only 36 percent of sexual assault victims pursue prosecution by reporting their attacks to law enforcement agencies; and

Whereas, Sixty-seven percent of all victims of sexual assault reported to law enforcement agencies were under 18 years of age, and 34 percent of all victims were under 12 years of age; and

Whereas, In addition to the immediate physical and emotional costs, sexual assault may also have associated severe and long-lasting consequences of posttraumatic stress disorder, substance abuse, major depression, homelessness, eating disorders, and suicide; and

Whereas, The Centers for Disease Control and Prevention has identified sexual assault as a significant, costly, and preventable health issue; and

Whereas, Women, children, and men in our state have the right to be safe from sexual violence in their homes, at school, at work, and on the streets; and

Whereas, Seven in ten victims knew the offender prior to the act and were often identified as friends or acquaintances; and

Whereas, It is crucially important to hold perpetrators responsible for sexual attacks, and to prevent sexual violence at every opportunity; and

Whereas, It is important to recognize the strength, courage, and challenges of the victims and survivors of sexual assault and their families and friends as they struggle to cope with the reality of sexual assault; and

Whereas, It is critical to draw state-wide and national attention to this very important issue so that citizens are educated and in a better position to prevent sexual assault; now, therefore, be it

Resolved by the Michigan House of Representatives, That the members of this legislative body declare April 2010 as Sexual Assault Awareness and Prevention Month in the state of Michigan.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Walsh, Haveman, Haines, Knollenberg, Bolger, Crawford, Daley, Hansen, LeBlanc, Liss, Lund, Meekhof, Pearce, Rogers, Wayne Schmidt and Tyler offered the following resolution:

#### **House Resolution No. 245.**

A resolution to express opposition to a federal takeover of the Great Lakes.

Whereas, A federal task force has proposed new policies that could ultimately lead to a federal takeover of the Great Lakes. The Interagency Task Force on Ocean Policy’s Interim Framework for Effective Coastal and Marine Spatial Planning proposes regional planning and management overseen by a National Ocean Council with no state representation. Such a move would infringe on the Great Lakes states’ rights to manage their natural resources; and

Whereas, The Great Lakes states and provinces have demonstrated for decades their ability to manage the Great Lakes collaboratively. They understand how important the Great Lakes are to the region’s livelihood and that the actions taken by any state or province can affect the other states and provinces. The states and provinces have created regional structures, such as the Great Lakes Fishery Commission, and regional agreements, such as the Great Lakes-St. Lawrence River Basin Water Resources Compact and Agreement, to facilitate joint management of the lakes for the greater benefit of the region; and

Whereas, the proposed system would potentially replace this successful management model with a distant and inaccessible federal bureaucracy. The 23 federal departments, agencies, and offices that would comprise the National Ocean Council answer to the President, not the states. Decision-making for the Great Lakes could be delayed or impeded in a lengthy federal process with decisions made by federal bureaucrats far removed from the region's economic or environmental priorities, with no vested interest in the well-being of the lakes, and who do not have to answer to the states; now, therefore, be it

Resolved by the House of Representatives, That we express opposition to a federal takeover of the Great Lakes and urge the U.S. Congress to reject any proposed takeover; 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 Great Lakes and Environment.

Reps. Scripps, Bolger, Robert Jones, Kandrevas, LeBlanc, Liss, Lund, Mayes, Neumann, Rogers, Tlaib and Valentine offered the following resolution:

**House Resolution No. 246.**

A resolution to declare April 2010 as Youth Financial Literacy Month in the state of Michigan.

Whereas, The informed use of credit and other financial products and services benefits individual consumers and promotes economic growth; and

Whereas, Financial literacy and learning these skills at an early age encourages greater economic self-sufficiency, higher levels of successful homeownership and enhanced retirement security, particularly among low and moderate income citizens; and

Whereas, The past decade has seen declining personal savings rates, increased bankruptcy filings, increased home foreclosures, and rising percentages of family income devoted to servicing household debt; and

Whereas, Given the current economic conditions facing Michigan, personal financial education and money management skills are crucial to ensure that our young people are prepared to manage credit and debt and become responsible workers, heads of households, homeowners, investors, entrepreneurs, business leaders, and productive citizens; and

Whereas, Young people represent the nation's single greatest future resource and will assume leadership positions and responsibility for advancement of our society; and

Whereas, Youth Financial Literacy Month highlights the commitment of credit unions throughout the nation to strengthen the financial knowledge of our youth and to prepare them for a fiscally responsible future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 2010 as Youth Financial Literacy Month in the state of Michigan. We encourage all citizens to participate in the aims and goals of this effort by raising public awareness about the need for increased financial literacy in our schools and among our children.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hammel, Lipton, Scripps, Corriveau, Walsh, Rocca, Schuitmaker, Kandrevas, Cushingberry, Constan, Lisa Brown, Tlaib and Meadows offered the following resolution:

**House Resolution No. 247.**

A resolution recognizing May 1, 2010, as Law Day in the state of Michigan.

Whereas, Our legal institutions and system of justice depend on popular participation and support to maintain legitimate authority; and

Whereas, Americans from all walks of life, public figures and private individuals alike, have reaffirmed in words and deeds our national allegiance to the rule of law; and

Whereas, Lawyers and judges recognize that they bear a special responsibility to foster public understanding of law and legal institutions and commitment to the rule of law; and

Whereas, Law Day has been an annual observance since President Dwight Eisenhower established it in 1958 as 'a day of national dedication to the principle of government under law'; and

Whereas, Law Day 2010 provides us with an opportunity to understand and appreciate the emerging challenges that confront our world—and the law—in the 21st century, while reaffirming enduring legal traditions; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 1, 2010, as Law Day in the state of Michigan; and be it further

Resolved, That the citizens, schools, businesses, media, religious institutions, civic, and service organizations of the state of Michigan are encouraged to use this occasion to commemorate Law Day.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Agema, Proos, Moss, Amash, Genetski, Walsh, Knollenberg, Meekhof, Schuitmaker, Marleau, Meltzer, Denby, Kurtz, Calley, DeShazor, Opsommer, Daley, Pavlov, Bolger, Elsenheimer, Hildenbrand, Rogers, Caul, Booher, Horn, Pearce, Lori, Paul Scott, McMillin, Green, Wayne Schmidt, Haveman, Hansen, Moore, Stamas, Ball, Crawford and Lund offered the following resolution:

**House Resolution No. 248.**

A resolution to respectfully urge the Michigan Supreme Court to grant leave to appeal in *Loar v. Department of Human Services* and issue an opinion to resolve the legal questions raised in the suit.

Whereas, The Legislature has expressed its intent to resolve the issue of whether home-based day care providers may be compelled to join a union and consent to having dues withheld from state subsidy payments provided to serve low-income families. Through Public Act 129 of 2009, the Legislature eliminated the funding for the Michigan Home Based Child Care Council, which carries out the forced unionization of home-based day care providers. The Department of Human Services has continued to fund the council, however, arguing that the interlocal agreement it has entered into with Mott Community College requires the department to continue to fund the council's activities regardless of the Legislature's decision in the appropriations act that funds the department; and

Whereas, A suit by home-based child day care owners, *Loar v. Department of Human Services*, sought relief for at least 40,000 home-based day care providers who have been classified as state employees, compelled to join a union, and have had union dues withheld from state subsidy payments since January 2009. The Court of Appeals has both dismissed the action in a summary order and denied the plaintiffs' motion for reconsideration, essentially deciding the case against the plaintiffs without weighing the issues; and

Whereas, There are serious issues involved in this case regarding legal principles of major significance to the states jurisprudence, such as forced unionization of independent contractors, the proper scope and power of interlocal agreements, the Legislature's authority to fund permissible state functions, and the executive branch's duty to act within the limits that the Legislature sets for state activities. The need to resolve such issues despite the Court of Appeals action to dismiss the case without explanation must be addressed by our state's highest court. This case has also generated significant public interest, which further argues for prompt action by the Supreme Court to grant leave to appeal; now, therefore, be it

Resolved by the House of Representatives, That we respectfully urge the Michigan Supreme Court to grant leave to appeal in *Loar v. Department of Human Services* and issue an opinion to resolve the legal questions raised in the suit; and be it further

Resolved, That copies of this resolution be transmitted to the justices of the Michigan Supreme Court.

The resolution was referred to the Committee on Judiciary.

Reps. Lipton, Robert Jones, LeBlanc, Liss, Neumann, Rogers and Tlaib offered the following resolution:

**House Resolution No. 249.**

A resolution to declare April 16, 2010, as World Voice Day in the state of Michigan.

Whereas, It is estimated that nearly seven million Americans suffer from some form of voice disorder; and

Whereas, Voice disorders can impact the everyday lives of those affected by inhibiting their ability to effectively express themselves; and

Whereas, There are many ways in which people can conserve their voice and prevent the development of voice disorders, including keeping hydrated, minimizing activities causing vocal strain such as yelling, warming up before heavy vocal use, using appropriate breath support, using amplification, and paying attention to voice cues; and

Whereas, It is important to draw state, national, and international awareness to the existence of voice disorders and the availability of services provided by otolaryngologists - head and neck surgeons - the only medical doctor specifically trained to treat the ear, nose, throat, head and neck - as well as other specialized providers for the amelioration of these disorders; and

Whereas, Every year on April 16, otolaryngologists, who are head and neck surgeons, and other voice health professionals worldwide join together to recognize World Voice Day, an international celebration of the human voice established to help raise public and professional awareness about voice disorders; and

Whereas, World Voice Day, sponsored in the U.S. by the American Academy of Otolaryngology - Head and Neck Surgery, encourages men and women, young and old, to assess their vocal health and take action to improve or maintain good voice habits; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April 16, 2010, as World Voice Day in the state of Michigan; and be it further

Resolved, That we encourage all citizens to practice techniques that may help prevent the onset of a voice disorder or to visit an otolaryngologist if they are suffering from a voice disorder.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Genetski, Amash, Agema, Knollenberg, Rogers, McMillin, Bolger, Haveman, Lund, Crawford, Daley, Meekhof and Walsh offered the following resolution:

**House Resolution No. 250.**

A resolution to memorialize the Congress to enact legislation that would postpone the Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act authority until Congress adopts a balanced approach to address climate and energy issues.

Whereas, The U.S. Environmental Protection Agency's (EPA's) plan to regulate greenhouse gas (GHG) emissions from new cars and light trucks will trigger the same regulation of GHG emissions from stationary sources, like manufacturing facilities, power plants, hospitals and commercial establishments; and

Whereas, Regulating GHG emissions from stationary sources under the Clean Air Act would be a great weight on manufacturing and the economy in general; and

Whereas, The pending EPA effort would burden progress on two of the nation's top priorities, environmental improvement and economic recovery, by imposing onerous permitting requirements that will significantly delay or even eliminate investments in new energy efficient technologies; and

Whereas, Over four million jobs were lost in 2009 and these proposed regulations have the potential to cause even more job losses; and

Whereas, The regulatory requirements of the Clean Air Act will overwhelm state agencies, which are not equipped to handle the estimated six million permitting requests anticipated; and

Whereas, Only Congress can act to avoid the significant costs and burdens imposed by the regulations on stationary sources, which even the EPA admits will lead to absurd results; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Congress to enact legislation that would postpone the EPA's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act authority until Congress adopts a balanced approach to address climate and energy issues without crippling the economy; 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 Great Lakes and Environment.

Reps. Bennett, Robert Jones, Liss, Scripps and Valentine offered the following concurrent resolution:

**House Concurrent Resolution No. 54.**

A concurrent resolution to approve the Third Amendment to the compact between the Little River Band of Ottawa Indians and the State of Michigan providing for the conduct of Class III gaming by the Little River Band of Ottawa Indians.

Whereas, The United States Congress enacted the Indian Gaming Regulatory Act of 1988 (IGRA) to provide a statutory framework for the establishment of tribal Class III gaming through negotiations between a state and a federally recognized Indian tribe; and

Whereas, The Little River Band of Ottawa Indians, a federally recognized Indian tribe, and the State of Michigan entered into a gaming compact allowing a single tribal Class III gaming facility. The compact was signed on December 3, 1998, and concurred in by the Michigan Legislature with the adoption of House Concurrent Resolution No. 115 in December 1998. This compact was amended in January 2008 by the Governor and Little River Band of Ottawa Indians; and

Whereas, The Little River Band of Ottawa Indians' current compact prohibits the sale of alcohol and tobacco to minors at the Little River Band of Ottawa Indians' current and proposed gaming facility; and

Whereas, The Little River Band of Ottawa Indians' compact provides that persons under 21 years of age may not participate in gaming at the Little River Band of Ottawa Indians' current and proposed gaming facility; and

Whereas, The Little River Band of Ottawa Indians' compact amendments provide additional safeguards for revenue payments to the state of Michigan when compared to the prior approved gaming compacts; and

Whereas, The Little River Band of Ottawa Indians' compact amendments also contain terms and conditions more beneficial to the state similar to the Gun Lake Band's compact; and

Whereas, The Little River Band of Ottawa Indians' compact amendments also contain terms and conditions for the proposed Muskegon tribal casino revenue sharing that reserve revenue for the Michigan State School Aid Fund; and

Whereas, In March 2010, the Governor and Little River Band of Ottawa Indians negotiated and signed two additional amendments to the 1998 compact. The Third Amendment, signed by the Governor on March 19, 2010, amends the compact definition of "Eligible Indian Lands" in order to allow a second tribal Class III gaming facility in Muskegon County. To take effect, the Third Amendment requires, among other conditions, approval by resolution by both houses of the Michigan Legislature; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we approve the Third Amendment to the compact between the Little River Band of Ottawa Indians and the State of Michigan providing for the conduct of Class III gaming by the Little River Band of Ottawa Indians; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, representatives of the Little River Band of Ottawa Indians, and the United States Secretary of the Interior.

The concurrent resolution was referred to the Committee on Regulatory Reform.



Reps. Meekhof, Agema, Amash, Bolger, Crawford, Daley, Lund, Rogers and Walsh offered the following concurrent resolution:

**House Concurrent Resolution No. 55.**

A concurrent resolution to memorialize the Congress to enact legislation that would postpone the Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act authority until Congress adopts a balanced approach to address climate and energy issues.

Whereas, The U.S. Environmental Protection Agency's (EPA's) plan to regulate greenhouse gas (GHG) emissions from new cars and light trucks will trigger the same regulation of GHG emissions from stationary sources, like manufacturing facilities, power plants, hospitals and commercial establishments; and

Whereas, Regulating GHG emissions from stationary sources under the Clean Air Act would be a great weight on manufacturing and the economy in general; and

Whereas, The pending EPA effort would burden progress on two of the nation's top priorities, environmental improvement and economic recovery, by imposing onerous permitting requirements that will significantly delay or even eliminate investments in new energy efficient technologies; and

Whereas, Over four million jobs were lost in 2009 and these proposed regulations have the potential to cause even more job losses; and

Whereas, The regulatory requirements of the Clean Air Act will overwhelm state agencies, which are not equipped to handle the estimated six million permitting requests anticipated; and

Whereas, Only Congress can act to avoid the significant costs and burdens imposed by the regulations on stationary sources, which even the EPA admits will lead to absurd results; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we encourage the Congress to enact legislation that would postpone the EPA's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act authority until Congress adopts a balanced approach to address climate and energy issues without crippling the economy; 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 Great Lakes and Environment.

### Reports of Standing Committees

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

**Senate Bill No. 1174, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1311 (MCL 500.1311), as amended by 1994 PA 227.

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. Byrum, Young, Constan, Lemmons, Lipton, Neumann, Sheltroun, Womack, Denby, Green and Rocca

Nays: Reps. Haveman and Lund

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 15, 2010

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

Absent: Reps. Polidori and Marleau

Excused: Reps. Polidori and Marleau

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 15, 2010

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

Absent: Reps. Lisa Brown and Polidori  
Excused: Reps. Lisa Brown and Polidori

### Messages from the Senate

#### **House Bill No. 5672, entitled**

A bill to amend 1937 PA 72, entitled "Division of deafness act," by amending section 8 (MCL 408.208), as added by 1988 PA 434.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

By unanimous consent the House returned to the order of

#### **Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following Senate bills had been received on Wednesday, April 14:

**Senate Bill Nos. 1226 1227**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, April 15:

**Senate Bill Nos. 1257 1258 1259 1260 1261 1262**

The Clerk announced that the following Senate bill had been received on Thursday, April 15:

**Senate Bill No. 1138**

### Messages from the Senate

#### **Senate Bill No. 1138, entitled**

A bill to amend 1879 PA 248, entitled "An act to prevent animals from running at large in certain cities and villages within this state," by amending section 1 (MCL 433.51) and by adding section 13.

The Senate has passed the bill.

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

#### **Senate Bill No. 1226, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 20d and 68 (MCL 38.20d and 38.68), section 20d as amended by 2002 PA 93 and section 68 as added by 1996 PA 487, and by adding sections 35 and 68d.

The Senate has passed the bill.

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

#### **Senate Bill No. 1227, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 6, 7, 8, 25, 26, 41, 42, 43a, 43b, 43c, 61, 81, 86, and 87 (MCL 38.1304, 38.1306, 38.1307, 38.1308, 38.1325, 38.1326, 38.1341, 38.1342, 38.1343a, 38.1343b, 38.1343c, 38.1361, 38.1381, 38.1386, and 38.1387), section 4 as amended by 2008 PA 354, sections 6 and 7 as amended by 1995 PA 272, sections 8, 25, and 26 as amended by 1997 PA 143, section 41 as amended by 2007 PA 15, section 42 as amended by 1996 PA 268, section 43a as amended by 2007 PA 111, sections 43b and 81 as amended by 1989 PA 194, section 43c as amended by 1998 PA 213, and section 61 as amended by 2006 PA 158, and by adding sections 41b, 43e, 43f, and 81c and article 7.

The Senate has passed the bill.

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

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4187**.

Rep. Agema

**Introduction of Bills**

Reps. Robert Jones, Scripps, Kandrevas, Griffin, Segal, Young, Stanley, Clemente and Roy Schmidt introduced **House Bill No. 6045, entitled**

A bill to provide for the procedure for allocation of federal bond limitation under certain bond programs; and to prescribe certain powers and duties of certain state agencies and public officers.

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

Rep. Lipton introduced

**House Bill No. 6046, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 401 (MCL 330.1401), as amended by 2004 PA 496.

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

Reps. Valentine, Liss, Tlaib and Dean introduced

**House Bill No. 6047, entitled**

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

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

**Announcements by the Clerk**

April 13, 2010

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of Statewide UNIX Security, Department of Technology, Management and Budget, April 2010.

Richard J. Brown  
Clerk of the House

Rep. Pearce moved that the House adjourn.

The motion prevailed, the time being 1:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, April 20, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

