

No. 5
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House of Representatives
95th Legislature
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House Chamber, Lansing, Wednesday, February 4, 2009.

1:30 p.m.

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

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

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. Dave Agema, from the 74th District, offered the following invocation:

“Father in Heaven, we humbly come to You and praise You for who You are and what You’ve done for us in Jesus Christ. Thank You for the promises You have given us in Your Word. We thank You for the scriptures that teach us right from wrong. We ask forgiveness for the times we confuse evil with good, and pray for Your mercy and grace when we make decisions that are against Your will. We pray that You will move men’s hearts to make wise decisions.

Father, we thank You for our forefathers that laid a solid foundation for this state and the country based on Your principles. For the sake of those that still call upon Your name and seek Your guidance, we pray that truth, righteousness, and justice will prevail in this body as we deliberate this year. Please give us the insight we need to do what is right according to You, rather than what is wrong based on personal ambition and gain.

We ask for protection for our troops that fight terrorism world-wide. We pray for the families that wait for their loved ones to return from this great service. Please grant them peace of mind, stability and hope.

Father, we pray that You will define society norms. We pray that fathers provide for the children, and that the children respect authority. We pray that marriage will be honored in Your eyes and according to Your original plan. We pray that our economy may be blessed, so that men may work with their hands and minds to provide for their families.

May Your name be praised in this institution. In Jesus name I pray. Amen.”

Motions and Resolutions

Rep. Angerer moved that the Committee on Government Operations be discharged from further consideration of **House Concurrent Resolution No. 3**.

(For first notice see House Journal No. 4, p. 60.)

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

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

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

The motion prevailed.

The Speaker laid before the House

House Concurrent Resolution No. 3.

A concurrent resolution to request the State Officers’ Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay.

(For text of concurrent resolution, see House Journal No. 2, p. 30.)

(The concurrent resolution was discharged from the Committee on Government Operations on February 4.)

The question being on the adoption of the concurrent resolution,

Rep. Haase moved to substitute (H-1) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 3.

A concurrent resolution to request the State Officers’ Compensation Commission to recommend a 10 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay.

Whereas, Our state’s continuing economic struggles emphasize the need to make sacrifices for our future economic and fiscal health. All avenues to encourage that fiscal policies and decisions reflect this need for prudence must be pursued; and

Whereas, Article IV, Section 12 of the State Constitution of 1963 provides for the State Officers’ Compensation Commission. This commission determines the salaries and expense allowances of certain elected state officers, including the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State. Pursuant to state statutes amended to conform to 2002 changes in the constitutional provisions regarding the commission, the State Officers’ Compensation Commission will next meet in 2009; and

Whereas, It is important for all possible mechanisms to be put in place to avoid unnecessary spending. Reducing the salaries of the state’s highest elected officers and restraining spending increases can help safeguard the public’s interests at an important time in our state’s history. Establishing a ceiling for the recommendations that the State Officers’ Compensation Commission can make, by making sure future recommendations cannot exceed the average increase in

state employee pay, is an appropriate and long-overdue step to take. These moves can enable other reforms in policy to take root; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the State Officers' Compensation Commission to recommend a 10 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay; and be it further

Resolved, That copies of this resolution be transmitted to the State Officers' Compensation Commission.

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

The question being on the adoption of the concurrent resolution,

Rep. Angerer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 3

Yeas—108

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

Nays—1

Smith

In The Chair: Byrnes

Reps. Agema, Ball, Bledsoe, Booher, Byrnes, Byrum, Calley, Caul, Clemente, Constan, Corriveau, Coulouris, Crawford, Daley, Dean, Denby, DeShazor, Dillon, Donigan, Espinoza, Gonzales, Haines, Hammel, Hansen, Haveman, Hildenbrand, Horn, Huckleberry, Rick Jones, Kandrevas, Knollenberg, Kowall, Kurtz, Lahti, LeBlanc, Leland, Lemmons, Lipton, Lori, Lund, Marleau, Mayes, McDowell, McMillin, Meadows, Meekhof, Melton, Moore, Moss, Neumann, Opsommer, Pavlov, Pearce, Proos, Rocca, Rogers, Roy Schmidt, Wayne Schmidt, Schuitmaker, Bettie Scott, Paul Scott, Sheltrown, Simpson, Slezak, Spade, Stamas, Switalski, Tlaib, Tyler and Walsh were named co-sponsors of the bill.

Reps. Angerer, Ball, Bennett, Bolger, Terry Brown, Constan, Daley, Dean, DeShazor, Durhal, Genetski, Gonzales, Green, Hammel, Hansen, Haugh, Rick Jones, Robert Jones, Knollenberg, Kowall, Kurtz, Lahti, LeBlanc, Leland, Lemmons, Liss, Lund, Marleau, McDowell, Moore, Opsommer, Pearce, Polidori, Proos, Rogers, Roy Schmidt, Schuitmaker, Sheltroun, Smith, Spade and Tyler offered the following resolution:

House Resolution No. 8.

A resolution recognizing January 25 - 31, 2009, as Catholic Schools Week in the state of Michigan.

Whereas, There are 67,457 students attending 269 Catholic elementary and high schools throughout our great state; and

Whereas, Catholic schools provide young people with a strong foundation of values and academic skills needed to become responsible citizens of our state and nation; and

Whereas, The Catholic Church sees the parents as the primary educators and that parental supervision and involvement play a major role in the education of students; and

Whereas, Catholic schools believe that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Catholic schools educate many students who are non-Catholic; and

Whereas, Based upon Michigan's minimum public school foundation allowance of \$7,316, the Catholic schools of our state save taxpayers in excess of \$493,515,412 annually; and

Whereas, Catholic educators are dedicated to producing academically strong students who also commit themselves to service; and

Whereas, The common good of the state of Michigan is strengthened through the existence of Catholic schools; and

Whereas, January 25 - 31, 2009, has been designated as Catholic Schools Week, with the theme "Catholic Schools Celebrate Service," as denoted by the National Catholic Educational Association (NCEA) and the United States Conference of Catholic Bishops; now, therefore, be it

Resolved by the House, That the members of this legislative body recognize January 25 - 31, 2009, as Catholic Schools Week in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Catholic Conference with our highest esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Clemente, Ball, Barnett, Bauer, Bennett, Terry Brown, Constan, Dean, Durhal, Gonzales, Griffin, Haase, Hammel, Hansen, Haugh, Robert Jones, Knollenberg, Lahti, LeBlanc, Leland, Lemmons, Liss, Marleau, McDowell, Miller, Polidori, Rogers, Roy Schmidt, Schuitmaker, Sheltroun, Smith, Spade, Valentine, Warren and Womack offered the following resolution:

House Resolution No. 9.

A resolution to memorialize the President of the United States and the United States Congress to ensure that businesses located in the United States and their employees be the primary beneficiaries of the planned economic relief legislation to stimulate the economy and create jobs.

Whereas, The stated goal of the proposed economic stimulus package is to stimulate the United States economy and create American jobs. It is critically important to job creation that federal and state buy-American and domestic content requirements be observed in utilizing public funds for investment in our nation's aging infrastructure. This is especially important in Michigan, where manufacturing is the key driver in the state economy; and

Whereas, Michigan has made the contracting of Michigan and United States vendors and suppliers a priority. This has been the focus of state statutes, the most recently adopted budget, and Executive Directives; and

Whereas, Leaders of the National Governors Association (NGA) and the National Conference of State Legislatures (NCSL) have called on the new administration and Congress to take early action on our severely weakened economy, which is mired in what is estimated to be the most serious economic downturn in at least the last 30 years. This downturn is causing high unemployment and accompanying painful financial hardship for American workers and their families, including working families in Michigan, where the unemployment rate is escalating; and

Whereas, Congress is drafting economic recovery legislation for the President's signature with a strong sense of urgency. This "economic stimulus" legislation is expected to channel billions of dollars in state block grants to help economically stressed states take immediate action to initiate significant job creation through massive public works investments. These include rebuilding our nation's aging infrastructure, including, roads, bridges, and guardrails and accompanying utility poles, rest areas, maintenance buildings, and highway bridges. It also includes rail and air transportation networks, electrical grid expansion, water and sewerage improvements, environmentally friendly nonresidential renovation, and new construction of state-of-the-art schools, hospitals, and other vital infrastructure needs; and

Whereas, Modernizing and upgrading Michigan's statewide infrastructure system will improve the overall quality of life for all Michigan families, and create significant new job opportunities and economic growth. Moreover, it will also help revitalize and advance Michigan's critically important manufacturing sector; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the President of the United States and the United States Congress to ensure that businesses in the United States and their employees be the primary beneficiaries of the planned economic relief legislation to stimulate the economy and create jobs; and be it further

Resolved, That the President and members of the United States Congress are urged to discourage outsourcing of manufacturing and purchasing to the detriment of American suppliers, including suppliers located in Michigan, servicing those industries and businesses that receive public sector financial assistance; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, 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 New Economy and Quality of Life.

Reps. Miller, Barnett, Bennett, Terry Brown, Constan, Dean, Durhal, Gonzales, Haase, Hammel, Haugh, Robert Jones, Lahti, Leland, Lemmons, Lipton, Liss, McDowell, Polidori, Smith, Switalski, Valentine and Warren offered the following resolution:

House Resolution No. 10.

A resolution memorializing the Congress of the United States to enact the Employee Free Choice Act.

Whereas, In 1935, the United States established, by law, that workers must be free to form unions. The freedom to form or join a union is internationally recognized as a fundamental human right; and

Whereas, Union membership provides workers better wages and benefits, and protection from discrimination and unsafe workplaces. Unions benefit communities by strengthening tax bases, promoting equal treatment, and enhancing civic participation; and

Whereas, Even though on paper America's workers have the freedom to choose for themselves whether to have a union, in reality, workers across the nation are routinely denied that right. More than 40 million United States workers say they would join a union now if they had the opportunity; and

Whereas, When the right of workers to form a union is violated, wages fall, race and gender pay gaps widen, workplace discrimination increases, and job safety standards disappear; and

Whereas, Many thousands of workers in our country are routinely threatened, coerced, or fired each year because they try to form a union. Most violations of workers' freedom to choose a union occur behind closed doors, and each year millions of dollars are spent to frustrate workers' efforts to form unions; and

Whereas, A worker's fundamental right to choose a union is a public issue that requires a public policy solution, including legislative remedies; and

Whereas, The Employee Free Choice Act was introduced in the 110th Congress, and it will soon be before Congress again in order to restore workers' freedom to join a union; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to enact the Employee Free Choice Act, which would authorize the National Labor Relations Board to certify a union as the bargaining representative when a majority of employees voluntarily sign authorizations designating that union to represent them; provide for first contract mediation and arbitration; and establish meaningful penalties for violations of a worker's freedom to choose a union; and be it further

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

Reps. Miller, Bauer, Bennett, Terry Brown, Constan, Dean, Durhal, Gonzales, Haase, Hammel, Hansen, Haugh, Robert Jones, Leland, Lemmons, Liss, McDowell, Opsommer, Polidori, Roy Schmidt, Smith and Warren offered the following resolution:

House Resolution No. 11.

A resolution to memorialize the President, the Congress, and the Department of Homeland Security of the United States to change requirements, agreements, and memorandums of understanding relating to the creation of Enhanced Drivers Licenses.

Whereas, The Department of Homeland Security is currently requiring that any state that wishes to create an Enhanced Drivers License (EDL) as a result of passage of the federal Western Hemisphere Travel Initiative (WHTI) must create an EDL that incorporates what the federal government refers to as "facilitative technology." This ambiguous term has been defined in practice to mean the incorporation of unencrypted, long-range, radio-wave computer chip technology that allows for a unique citizen identification number that can be passively read through wallets, purses, doors, and cars without the owner's knowledge; and

Messages from the Senate

Senate Bill No. 1, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 281 (MCL 208.1281), as added 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.

Notices

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

House Bill No. 4024 referred to the Committee on Intergovernmental and Regional Affairs on February 4, 2009.

House Bill No. 4045 referred to the Committee on Urban Policy on February 4, 2009.

House Bill No. 4050 referred to the Committee on Urban Policy on February 4, 2009.

House Bill No. 4062 referred to the Committee on Urban Policy on February 4, 2009.

House Bill No. 4095 referred to the Committee on Intergovernmental and Regional Affairs on February 4, 2009.

February 3, 2009

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

Dear Mr. Clerk:

I hereby appoint the following Members of the 95th Legislature to the following Statutory Committees for the 2009-2010 Legislative Session:

Joint Committee on Administrative Rules

Reps. Spade (C), Lipton, Constan, Rocca, Stamas

Legislative Council

Reps. Dillon, Cushingberry, Byrnes, Angerer, Elsenheimer, Hildenbrand

Library of Michigan Board of Trustees

Reps. Jackson, Stamas

Michigan Capitol Committee

Reps. Griffin, Bauer, Nerat, W. Schmidt

Michigan Commission on Uniform State Laws

Reps. Coulouris, Amash

Michigan Law Revision Commission

Reps. Meadows, Schuitmaker

Regards,
Andy Dillon
Speaker of the House
District 17

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Concurrent Resolution No. 5**.

Rep. Opsommer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on New Economy and Quality of Life from further consideration of **House Resolution No. 9**.

Rep. Meadows

Introduction of Bills

Rep. Hammel introduced

House Bill No. 4128, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Rep. Byrnes introduced

House Bill No. 4129, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1305, 1307, and 1308 (MCL 339.1305, 339.1307, and 339.1308), sections 1305 and 1307 as amended by 1988 PA 463.

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

Rep. Smith introduced

House Bill No. 4130, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 47.

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

Reps. Smith, Warren, Miller and Byrnes introduced

House Bill No. 4131, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 24 and 51 (MCL 710.24 and 710.51), section 24 as amended by 2004 PA 487 and section 51 as amended by 1996 PA 409.

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

Rep. Lemmons introduced

House Bill No. 4132, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1561 and 1596 (MCL 380.1561 and 380.1596), section 1561 as amended by 1996 PA 339.

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

Rep. Calley introduced

House Bill No. 4133, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 75 (MCL 38.1075), as amended by 1998 PA 501.

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

Rep. Calley introduced

House Bill No. 4134, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2008 PA 472.

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

Rep. Calley introduced

House Bill No. 4135, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Reps. Constan and Polidori introduced

House Bill No. 4136, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 401 and 406 (MCL 330.1401 and 330.1406), section 401 as amended by 2004 PA 496 and section 406 as amended by 1995 PA 290, and by adding sections 207a, 207b, 207c, 207d, 207e, and 207f; and to repeal acts and parts of acts.

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

Rep. Gonzales introduced

House Bill No. 4137, entitled

A bill to require certain providers of electric service to purchase electricity from eligible electric generators; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

Rep. Angerer introduced

House Bill No. 4138, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2111, 3103, 3114, and 3177 (MCL 500.2111, 500.3103, 500.3114, and 500.3177), section 2111 as amended by 2002 PA 492, section 3103 as amended by 1986 PA 173, section 3114 as amended by 2002 PA 38, and section 3177 as amended by 1984 PA 426.

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

Rep. Jackson introduced

House Bill No. 4139, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 18n to chapter XIIA.

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

Rep. Jackson introduced

House Bill No. 4140, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 504 (MCL 600.504), as amended by 2002 PA 715, and by adding chapter 10B.

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

Rep. Jackson introduced

House Bill No. 4141, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1m to chapter IX.

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

Rep. Jackson introduced

House Bill No. 4142, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending the title and sections 2a, 123, 125, 132, 134, 141, and 141a (MCL 125.402a, 125.523, 125.525, 125.532, 125.534, 125.541, and 125.541a), the title as amended by 1992 PA 144, section 132 as amended by 2000 PA 479, section 134 as amended by 2003 PA 80, section 141 as amended by 2003 PA 55, and section 141a as added by 1992 PA 109.

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

Rep. Jackson introduced

House Bill No. 4143, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 313 (MCL 257.313), as amended by 2004 PA 362.

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

Rep. Jackson introduced

House Bill No. 4144, entitled

A bill to create the cultural redevelopment authority; to create and operate certain cultural redevelopment districts; to foster economic opportunities in this state; to facilitate economic development; to stimulate cultural, industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.

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

Rep. Hansen introduced

House Bill No. 4145, entitled

A bill to amend 2006 PA 237, entitled "An act to amend 1994 PA 451, entitled, "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 80110, 80111, and 80112 (MCL 324.80110, 324.80111, and 324.80112), as added by 1995 PA 58; and to repeal acts and parts of acts," by repealing enacting section 1.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Hansen introduced

House Bill No. 4146, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 20i (MCL 791.220i), as added by 2006 PA 351.

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

Rep. Hansen introduced

House Bill No. 4147, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 537 (MCL 436.1537), as amended by 2008 PA 218.

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

Rep. Hansen introduced

House Bill No. 4148, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 19 (MCL 205.19), as amended by 2002 PA 657.

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

Rep. Hansen introduced

House Bill No. 4149, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties

of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending sections 24, 30c, and 31 (MCL 205.24, 205.30c, and 205.31), section 24 as amended by 2003 PA 201, section 30c as amended by 2007 PA 194, and section 31 as amended by 2002 PA 657.

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

Reps. Opsommer and Marleau introduced

House Bill No. 4150, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 447.

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

Rep. Opsommer introduced

House Bill No. 4151, entitled

A bill to amend 1967 (Ex Sess) PA 8, entitled “An act to provide for intergovernmental transfers of functions and responsibilities,” by amending section 4 (MCL 124.534).

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

Rep. Corriveau introduced

House Bill No. 4152, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 1 (MCL 205.51), as amended by 2008 PA 438.

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

Rep. Stamas introduced

House Bill No. 4153, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30104b, 30301, 30302, 30304, 30305, 30307, 30308, 30309, 30310, 30311, 30313, 30317, 30321, and 30323 (MCL 324.30104b, 324.30301, 324.30302, 324.30304, 324.30305, 324.30307, 324.30308, 324.30309, 324.30310, 324.30311, 324.30313, 324.30317, 324.30321, and 324.30323), section 30104b as added by 2006 PA 592, sections 30301 and 30305 as amended by 2003 PA 14, sections 30302, 30308, 30309, 30310, 30311, 30313, and 30323 as added by 1995 PA 59, section 30304 as amended by 2004 PA 325, section 30307 as amended by 2006 PA 430, section 30317 as amended by 1998 PA 228, and section 30321 as amended by 1996 PA 530; and to repeal acts and parts of acts.

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

Rep. Hansen introduced

House Bill No. 4154, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” (MCL 408.1001 to 408.1094) by adding section 17.

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

Rep. Rick Jones introduced

House Bill No. 4155, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the

powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending the title and sections 5f, 5k, and 5o (MCL 28.425f, 28.425k, and 28.425o), the title as amended and section 5k as added by 2000 PA 381, section 5f as amended by 2008 PA 194, and section 5o as amended by 2008 PA 407.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Hansen introduced

House Bill No. 4156, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Mayes introduced

House Bill No. 4157, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” by amending the title and sections 2, 2a, and 3 (MCL 285.302, 285.302a, and 285.303), the title and section 2 as amended by 2006 PA 423 and section 2a as added by 2006 PA 424.

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

Rep. Mayes introduced

House Bill No. 4158, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 36111 (MCL 324.36111), as amended by 2002 PA 75.

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

Rep. Smith introduced

House Bill No. 4159, entitled

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

The bill was read a first time by its title and referred to the Committee on Families and Children’s Services.

Rep. Smith introduced

House Bill No. 4160, entitled

A bill entering into the midwest pharmaceutical compact; and for related purposes.

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

Rep. LeBlanc introduced

House Bill No. 4161, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7405, 17708, 17751, and 17763 (MCL 333.7405, 333.17708, 333.17751, and 333.17763), as amended by 2006 PA 672.

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

Rep. LeBlanc introduced

House Bill No. 4162, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 303a, 401, and 601 (MCL 339.303a, 339.401, and 339.601), section 303a as amended by 2006 PA 489, section 401 as amended by 1988 PA 463, and section 601 as amended by 2008 PA 319, and by adding article 14.

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

Rep. LeBlanc introduced

House Bill No. 4163, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 684 (MCL 257.684).
The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Ebli introduced

House Bill No. 4164, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2008 PA 538.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reps. Paul Scott, Kurtz, Rogers, Bolger, Green, DeShazor, Haines, Haveman, Wayne Schmidt, Walsh, Lund, Kowall, McMillin and Genetski introduced

House Bill No. 4165, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 281 (MCL 208.1281), as added by 2007 PA 145.

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

Reps. Tlaib, Scripps, Melton, Switalski, Constan, Durhal and Geiss introduced

House Bill No. 4166, entitled

A bill to require disclosure of certain information in connection with refund anticipation loans; to prescribe certain duties and obligations of the parties to a refund anticipation loan; and to prescribe penalties.

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

Reps. Lund, McMillin, Wayne Schmidt, Haines and Kowall introduced

House Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

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

Announcements by the Clerk

February 2, 2009

Received from the Auditor General a copy of the Comprehensive Annual Financial Report of the Bureau of State Lottery for the fiscal years ended September 30, 2008 and 2007.

Richard J. Brown
Clerk of the House

Rep. Warren moved that the House adjourn.

The motion prevailed, the time being 5:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, February 5, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

