

No. 48
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House of Representatives
94th Legislature
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House Chamber, Lansing, Wednesday, May 16, 2007.

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.

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Robert B. Jones, from the 60th District, offered the following invocation:

“Father, we give You honor, glory, and we thank You for all the blessings that You have bestowed upon us. We ask You for Your directions, and we ask You for Your guidance, and we ask You for Your protection. Father, we ask that You bless this country, its presidents, its governors, its mayors, its representatives on all levels, both state and local. Father, we ask also that You protect our military that are serving and defending this nation, our public safety, fire, rescue, and all the state employees that serve the citizens so faithfully. Father, we ask that You give us wisdom. Give us understanding so that we will act with wisdom and with mercy. Father, we ask that we deliberate as Solomon, for the people, and that we keep the good of all in mind and that we do not deliberate keeping only ourselves in mind. Father, we want to thank You for this opportunity to be here, today, to serve the people of this great state. We ask that You bless this state, bless this assembly, and we ask also that You guide us with Your love and at Your mercy. Father, we ask that all those who come to advocate here today, that they have a safe trip back home. We ask all these blessings in Thy son’s Jesus’ name, Amen.”

Second Reading of Bills

House Bill No. 4433, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending sections 3, 31, and 32 (MCL 205.703, 205.731, and 205.732), section 3 as amended by 1992 PA 172, and by adding section 47.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

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

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

The motion prevailed.

House Bill No. 4434, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending sections 26, 49, and 61 (MCL 205.726, 205.749, and 205.761), sections 26 and 49 as amended by 1980 PA 437 and section 61 as amended by 1992 PA 172.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Tax Policy,

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

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

The motion prevailed.

House Bill No. 4435, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending section 22 (MCL 205.722).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4436, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending section 62 (MCL 205.762), as amended by 1995 PA 232.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4437, entitled

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by repealing section 66 (MCL 205.766).

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman moved that House Committees be given leave to meet during the balance of today’s session. The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, May 16:

House Bill Nos.	4747	4748	4749	4750	4751	4752	4753	4754	4755	4756	4757	4758	4759	4760
	4761	4762	4763	4764	4766									
Senate Bill Nos.	500	501	502	503	504	505								

The Clerk announced that the following Senate bill had been received on Wednesday, May 16:

Senate Bill No. 487

Reports of Standing Committees

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

House Bill No. 4234, entitled

A bill to amend 1982 PA 325, entitled “An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,” (MCL 801.51 to 801.64) by adding section 9a.

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. Condino, Coulouris, Bieda, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: None

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

House Bill No. 4725, entitled

A bill to amend 1982 PA 325, entitled “An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency,” by amending sections 1, 2, 3, 4, 5, 9, and 10 (MCL 801.51, 801.52, 801.53, 801.54, 801.55, 801.59, and 801.60), section 9 as amended by 1988 PA 399, and by adding sections 1a, 9a, and 9b.

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. Condino, Coulouris, Bieda, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: None

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

Senate Bill No. 344, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 16 and 16z of chapter XVII (MCL 777.16 and 777.16z), section 16 as added by 1998 PA 317 and section 16z as amended by 2006 PA 655, by amending the headings of chapter XVII and part 2 of chapter XVII, and by adding sections 16aa and 16bb to chapter XVII.

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

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:
“CHAPTER I

Sec. 1. As used in this act:

(a) “Person”, “accused”, or a similar word means an individual or, unless a contrary intention appears, a public or private corporation, partnership, or unincorporated or voluntary association.

(b) “Act” or “doing of an act” includes “omission to act”.

(c) “Property” includes any matter or thing upon or in respect to which an offense may be committed.

(d) “Indictment” means 1 or more of the following:

(i) An indictment.

(ii) An information.

(iii) A presentment.

(iv) A complaint.

(v) A warrant.

(vi) A formal written accusation.

(vii) Unless a contrary intention appears, a count contained in any document described in subparagraphs (i) through (vi).

(e) “Writing”, “written”, or a similar term refers to words printed, painted, engraved, lithographed, photographed, copied, traced, or otherwise made visible to the eye.

(f) “Magistrate” means a judge of the district court or a judge of a municipal court. Magistrate does not include a district court magistrate, except that a district court magistrate may exercise the powers, jurisdiction, and duties of a magistrate if specifically provided in this act, the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to ~~600.9948~~ **600.9947**, or any other statute. This definition does not limit the power of a justice of the supreme court, a circuit judge, or a judge of a court of record having jurisdiction of criminal cases under this act, or deprive him or her of the power to exercise the authority of a magistrate.

(g) “Felony” means a violation of a penal law of this state for which the offender, upon conviction, may be punished by death or by imprisonment for more than 1 year or an offense expressly designated by law to be a felony.

(h) “Misdemeanor” means a violation of a penal law of this state that is not a felony or a violation of an order, rule, or regulation of a state agency that is punishable by imprisonment or a fine that is not a civil fine.

(j) “Ordinance violation” means either of the following:

(i) A violation of an ordinance or charter of a city, village, township, or county that is punishable by imprisonment or a fine that is not a civil fine.

(ii) A violation of an ordinance, rule, or regulation of any other governmental entity authorized by law to enact ordinances, rules, or regulations that is punishable by imprisonment or a fine that is not a civil fine.

(k) “Minor offense” means a misdemeanor or ordinance violation for which the maximum permissible imprisonment does not exceed 92 days and the maximum permissible fine does not exceed \$1,000.00.

(l) “Prosecuting attorney” means the prosecuting attorney for a county, an assistant prosecuting attorney for a county, the attorney general, the deputy attorney general, an assistant attorney general, a special prosecuting attorney, or, in connection with the prosecution of an ordinance violation, an attorney for the political subdivision or governmental entity that enacted the ordinance, charter, rule, or regulation upon which the ordinance violation is based.

(m) “Judicial district” means the following:

(i) With regard to the circuit court, the county.

(ii) With regard to municipal courts, the city in which the municipal court functions or the village served by a municipal court under section 9928 of the revised judicature act of 1961, 1961 PA 236, MCL 600.9928.

(iii) With regard to the district court, the county, district, or political subdivision in which venue is proper for criminal actions.

(n) “Complaint” means a written accusation, under oath or upon affirmation, that a felony, misdemeanor, or ordinance violation has been committed and that the person named or described in the accusation is guilty of the offense.

(o) “Clerk” means the clerk or a deputy clerk of the court.

(p) “Federal law enforcement officer” means an officer or agent employed by a law enforcement agency of the United States government whose primary responsibility is enforcing laws of the United States.

(q) “Jail”, “prison”, or a similar word includes a juvenile facility in which a juvenile has been placed pending trial under section 27a of chapter IV.

(r) “Juvenile” means a person within the jurisdiction of the circuit court under section 606 of the revised judicature act of 1961, 1961 PA 236, MCL 600.606.

(s) “Juvenile facility” means a county facility, institution operated as an agency of the county or family division of circuit court, or an institution or agency described in the youth rehabilitation services act, 1974 PA 150, MCL 803.301 to 803.309, to which a juvenile has been committed under section 27a of chapter IV.

(t) “County juvenile agency” means that term as defined in section 2 of the county juvenile agency act, **1998 PA 518, MCL 45.622.**

(u) "Taken", "brought", or "before" a magistrate or judge for purposes of criminal arraignment or the setting of bail means either of the following:

(i) Physical presence before a judge or district court magistrate.

(ii) Presence before a judge or district court magistrate by use of 2-way ~~closed-circuit television~~ **INTERACTIVE VIDEO TECHNOLOGY.**"

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Scott, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 16, 2007

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Accavitti, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, May 16, 2007

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Palsrok, Garfield, Huizenga, Moolenaar and Opsommer

Absent: Rep. Horn

Excused: Rep. Horn

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 16, 2007

Present: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Absent: Rep. Palmer

Excused: Rep. Palmer

Messages from the Senate

House Bill No. 4629, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 3 (MCL 207.553), as amended by 1996 PA 1.

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Bill No. 487, entitled

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending sections 110 and 115 (MCL 570.1110 and 570.1115), as amended by 2006 PA 572.

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 Concurrent Resolution No. 5.

A concurrent resolution to memorialize the United States Congress to reauthorize the State Children's Health Insurance Program (SCHIP) for the state of Michigan.

Whereas, The Michigan Legislature regards the health of our children to be of paramount importance to families in our state. Poor child health is a threat to educational achievement as well as the social and psychological well-being of the children of our state; and

Whereas, The members of the Michigan Legislature consider protecting the health of our children to be essential to improving the lives of our youngest citizens and the quality of life in this state. The Michigan SCHIP program, which has enrolled uninsured children since its inception, is an integral part of the arrangements for health benefits for the children of the state of Michigan. We recognize the value of the Michigan SCHIP in preserving child wellness, preventing and treating childhood disease, and improving health outcomes, including overall health costs; and

Whereas, The federal funding available to the state of Michigan through SCHIP is an invaluable source of funding to provide health benefits for children of modest means. Furthermore, we encourage all components of state government to work with educators, health care providers, social workers, and parents to ensure that all available public and private assistance to provide health benefits for uninsured children be garnered and used to the maximum extent; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the United States Congress to ensure timely reauthorization of the State Children's Health Insurance Program (SCHIP) to assure federal funding for Michigan SCHIP; 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 Senate has adopted the concurrent resolution.

Reps. Accavitti, Bieda, Brandenburg, Brown, Caswell, Clack, Constan, Coulouris, Cushingberry, Dean, Donigan, Espinoza, Farrah, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Huizenga, Rick Jones, Robert Jones, LaJoy, Kathleen Law, LeBlanc, Lemmons, Lindberg, Marleau, Mayes, McDowell, Meadows, Moore, Nitz, Pastor, Pearce, Polidori, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Stahl, Steil, Vagnozzi and Valentine were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Notices

May 15, 2007

Rich Brown
Clerk of the House of Representatives

Dear Mr. Clerk,

I have removed the following Representative from the conference committee on Senate Bill 220:

Representative Andy Dillon

I have appointed the following Representative as the first named Representative of the conference committee on Senate Bill 220:

Representative Steve Tobocman

Sincerely,
Andy Dillon
Speaker of the House of Representatives

Communications from State Officers

The following communications from the Auditor General were received and read:

May 15, 2007

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of the Land and Water Management Division,
Department of Environmental Quality
May 2007

May 15, 2007

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of the Utility Consumer Participation Board,
Department of Labor and Economic Growth
May 2007

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

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

May 15, 2007

In accordance with Section 3721 (1) of the Michigan Insurance Code (MCL 500.3721), I submit the attached report for the Office of Financial and Insurance Services.

The Small Employer Group Health Coverage Act (the Act) regulates the small employer group health market. Small employers are defined as those with 2-50 employees. The intent of the Act was to stabilize the small employer group health market. Therefore, the Act was passed with the requirement that a determination be made regarding the state of competition in the small employer group health market after it had been in effect long enough to make such a determination. In accordance with the requirements set forth in the Act, the Office of Financial and Insurance Services has held a public hearing and has sought input from licensed health carriers as well as independent sources in order to determine the state of competition in this market.

This is the first of what will be an annual report on the State of Competition in the Small Employer Carrier Health Market. It is also available on the Office of Financial and Insurance Services web site at www.michigan.gov/ofis under "Publications."

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,
Linda A. Watters
Commissioner

The communication was referred to the Clerk.

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

Pursuant to Section 1002 of P.A. 345 of FY 2006, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Woodland Center	2007C0207004	CS470245817

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "Online Lookups, Child Welfare Licensed Facilities" at the following address: <http://www.michigan.gov/dhslicensing>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Wilson at 517-373-8383.

Sincerely,
Marianne Udow
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Mayes, Byrum, Valentine, Espinoza, Angerer, Constan, Spade, Sheltroun, Huizenga and Rick Jones introduced **House Bill No. 4765, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 273a. The bill was read a first time by its title and referred to the Committee on Agriculture.

Reps. Gonzales and Cushingberry introduced

House Bill No. 4766, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 20m (MCL 38.1140m), as added by 2002 PA 728.

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

Reps. Vagnozzi, Meadows, Bieda and Condino introduced

House Bill No. 4767, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 532 (MCL 750.532).

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

Reps. Bieda, Vagnozzi and Meadows introduced

House Bill No. 4768, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16y of chapter XVII (MCL 777.16y), as amended by 2006 PA 655.

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

Reps. Moore, Nofs, Stakoe, Moolenaar, Caul, Rick Jones and Mayes introduced

House Bill No. 4769, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

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

Reps. Huizenga, Meisner, Vagnozzi, Coulouris, Johnson, Gonzales, Polidori, Cushingberry, Robert Jones, Valentine, Meadows, Gillard, Leland, Spade, Meekhof, Nitz, Marleau, Meltzer, Emmons, Stahl, Steil, Pearce, Stakoe and Rick Jones introduced

House Bill No. 4770, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 10a.

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

Reps. Meisner, Huizenga, Vagnozzi, Coulouris, Johnson, Gonzales, Polidori, Cushingberry, Robert Jones, Valentine, Meadows, Gillard, Leland, Spade, Meekhof, Nitz, Marleau, Emmons, Stahl, Steil, Pearce, Stakoe and Rick Jones introduced

House Bill No. 4771, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 19.

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

Reps. Meisner, Huizenga, Vagnozzi, Coulouris, Johnson, Gonzales, Polidori, Cushingberry, Robert Jones, Valentine, Meadows, Gillard, Leland, Spade, Meekhof, Nitz, Emmons, Stahl, Steil, Pearce, Stakoe and Rick Jones introduced

House Bill No. 4772, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 601 (MCL 339.303a and 339.601), section 303a as amended by 2006 PA 489 and section 601 as amended by 2005 PA 278, and by adding article 28; and to repeal acts and parts of acts.

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

Reps. Polidori, Spade, Robert Jones, Brown, Valentine, Gonzales, LeBlanc, Vagnozzi, Clack, Hammel, Constan, Simpson, Griffin, Condino, Hood, Byrnes, Wojno, Bennett, Espinoza, Leland, Miller, Hopgood, Melton, Young and Dean introduced

House Bill No. 4773, entitled

A bill to provide for remedies and prescribe civil sanctions against a person who presents a false or fraudulent claim to obtain money, property, or services from this state; to prescribe the powers and duties of certain state officers and agencies; and to prohibit retaliation against a person who pursues a remedy under this act.

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

Reps. Melton, Constan, Vagnozzi, Warren, Bauer, Coulouris, Meadows, LeBlanc and Johnson introduced
House Bill No. 4774, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509v and 509w (MCL 168.509v and 168.509w), as added by 1994 PA 441.

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

Reps. Wenke, LeBlanc, Shaffer and Rocca introduced

House Bill No. 4775, entitled

A bill to allow public officials to elect not to receive compensation for serving in their elected or appointed positions. The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Green, Agema, Meekhof, Amos, Hoogendyk, Horn, Shaffer, Stahl, Huizenga, Hildenbrand, Hansen, Condino, Robert Jones, Sheltroun, Mayes, Farrah, Meltzer, Calley, Proos, Palmer and Vagnozzi introduced

House Bill No. 4776, entitled

A bill to permit the establishment and maintenance of long-term health care savings accounts; to provide for certain tax credits and deductions; to prescribe the requirements of and restrictions on long-term health care savings accounts; and to provide penalties and remedies.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Green, Agema, Meekhof, Amos, Hoogendyk, Horn, Shaffer, Stahl, Huizenga, Hildenbrand, Hansen, Condino, Robert Jones, Sheltroun, Mayes, Farrah, Meltzer, Calley, Proos, Palmer and Vagnozzi introduced

House Bill No. 4777, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sak, Knollenberg, Accavitti, Bieda, Brandenburg, Brown, Byrum, Caswell, Cheeks, Clack, Constan, Coulouris, Cushingberry, Dean, Donigan, Espinoza, Farrah, Garfield, Gonzales, Green, Hammel, Hammon, Hansen, Hildenbrand, Hoogendyk, Hopgood, Huizenga, Rick Jones, Robert Jones, LaJoy, Kathleen Law, LeBlanc, Lemmons, Lindberg, Marleau, Mayes, McDowell, Meadows, Meisner, Miller, Pastor, Pearce, Polidori, Proos, Shaffer, Sheltroun, Alma Smith, Stahl, Tobocman, Vagnozzi, Valentine, Warren and Bauer offered the following resolution:

House Resolution No. 110.

A resolution recognizing May 2007 as Hearing Loss Awareness Month in the state of Michigan.

Whereas, Currently 31 million Americans have hearing loss. As baby boomers reach retirement age, starting in 2010, this number is expected to rapidly climb and nearly double by the year 2030; and

Whereas, It is estimated that 1.4 million people in the state of Michigan have hearing loss; and

Whereas, Among seniors, hearing loss is the third most treatable disabling condition behind arthritis and hypertension; and

Whereas, While 95 percent of people with hearing loss could be successfully treated with hearing aids and listening devices, only 22 percent currently use them; and

Whereas, Everyday approximately 3 in 1,000 newborns are born profoundly deaf or with a partial hearing loss making hearing loss the number one birth defect in America; and

Whereas, Hearing loss can greatly hinder everyday, ordinary communication, and people with a hearing loss often feel a sense of isolation and decreased self-confidence; and

Whereas, It is important that people with hearing loss in the state of Michigan be aware that there are many disability organizations, audiologists and hearing professionals, assistive listening device manufacturers, and support groups that offer a large range of solutions to help people with hearing loss; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 2007 as Hearing Loss Awareness Month in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lemmons, Young, Accavitti, Agema, Bauer, Bieda, Brandenburg, Brown, Cheeks, Clack, Constan, Coulouris, Cushingberry, Dean, Donigan, Espinoza, Farrah, Garfield, Gonzales, Green, Hammel, Hammon, Hildenbrand, Hopgood, Huizenga, Johnson, Rick Jones, Robert Jones, LaJoy, Kathleen Law, LeBlanc, Lindberg, Mayes, McDowell, Meadows, Meisner, Miller, Nitz, Palmer, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Shaffer, Sheltroun, Alma Smith, Stahl, Tobocman, Vagnozzi, Valentine, Warren and Horn offered the following resolution:

House Resolution No. 111.

A resolution applauding the Tuskegee Airmen for the receipt of the Congressional Gold Medal and for their exemplary service to our state and the nation.

Whereas, On March 29, 2007, President George Bush presented the Congressional Gold Medal to the surviving Airmen; and

Whereas, As retired Lt. Col. Herbert Carter said, “We proved that the antidote to racism is excellence in performance”; and

Whereas, The first class of cadets began in July of 1941 with 13 men, all of whom had college degrees, some with PhD’s and all had pilot’s licenses. The Tuskegee Airmen were awarded three Presidential Unit Citations, 150 Distinguished Flying Crosses and Legions of Merit, along with the Red Star of Yugoslavia, nine Purple Hearts, 14 Bronze Stars and more than 700 Air Medals and Clusters; and

Whereas, On February 28, 2006, the U.S. House passed House Concurrent Resolution 1259, authorizing the award of a Congressional Gold Medal on behalf of the Tuskegee Airmen. The President signed the legislation and it became Public Law 109-213 on April 11, 2006; and

Whereas, Four hundred and fifty African-American fighter pilots fought in aerial battles over North Africa, Sicily and Europe during World War II. Sixty-six of the pilots died in combat, while another 33 were shot down and captured as prisoners of war. The Tuskegee Airmen were credited with 261 aircraft destroyed, 148 aircraft damaged, 15,553 combat sorties and 1,578 missions over Italy and North Africa. They destroyed or damaged over 950 units of ground transportation and escorted more than 200 bombing missions. In addition, as an escort fighter wing they never lost a bomber to enemy fighters. German pilots feared and respected them. White American bomber crews referred to them as “Redtailed Angels” because of the bright red paint on the tail assemblies and because of their reputation for not losing bombers to enemy fighters; and

Whereas, Michigan shares a rich history with the Tuskegee Airmen. In addition to their training at Tuskegee Institute in Alabama, in subsequent years some of the airmen trained at Selfridge Field and Oscoda Field. The late Coleman Young, former mayor of the city of Detroit, trained as a navigator bombardier for the 477th. In the early 1970s, the Airmen established their first chapter in Detroit. Today there are 42 chapters located in major cities of the U.S. The chapters support young people through scholarships, sponsorships to the military academies and flight training programs. Detroit is also the location of the Tuskegee Airmen National Museum. A total of 155 Tuskegee Airmen originated from Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body applaud the Tuskegee Airmen for the receipt of the Congressional Gold Medal and for their exemplary service to our state and the nation.

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

Reps. Vagnozzi, Accavitti, Bieda, Brandenburg, Brown, Cheeks, Clack, Constan, Coulouris, Cushingberry, Dean, Donigan, Espinoza, Farrah, Gonzales, Hammel, Hammon, Hopgood, Robert Jones, Kathleen Law, Lemmons, Lindberg, Marleau, Mayes, McDowell, Meadows, Meisner, Miller, Polidori, Sak, Sheltroun, Alma Smith, Tobocman and Warren offered the following concurrent resolution:

House Concurrent Resolution No. 22.

A concurrent resolution to express the commitment of the Michigan Legislature to the development of a health care system that provides comprehensive coverage to all residents.

Whereas, Article 4, Section 51 of our state constitution declares that health care is a primary concern. Moreover, statutory law requires the state to prepare a state health plan that includes “mechanisms to promote adequate access to health care for all segments of the state’s population” (MCL 325.2010(2) (a)); and

Whereas, Fragmentation of health care financing among many insurers and categorical programs has resulted in no one, entity having enough power to effectively control health care costs, and allowing those costs to rise at rates well above wage increases and inflation. All competing, manufacturing countries provide health care to everyone as a shared responsibility of the whole society instead of as a benefit of employment; and

Whereas, Those competing countries follow the moral value that health care is a human right but we in the United States do not. Michigan needs a system that controls costs while providing high quality, comprehensive care. More than 1 million Michigan residents are still uninsured and thousands more are underinsured or are losing coverage. Governor Granholm has made a public commitment to improve our stewardship of the Michigan health care dollar by working with and supporting the efforts of the Michigan Health Insurance Access Advisory Council in completing a health care coverage

finance study by the end of the 2006-2007 fiscal year and has made a public commitment to work toward health care for all residents of this state; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we in the Michigan Legislature commit to the design and enactment of legislation for a health care system based on the principles of shared responsibility and good stewardship; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the House of Representatives and the Senate Majority Leader as an expression of our shared responsibility and good stewardship.

The concurrent resolution was referred to the Committee on Insurance.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 and 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Hood offered the following concurrent resolution:

House Concurrent Resolution No. 23.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group B General Office Building Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group B General Office Building Renovations located in Eaton County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group B General Office Building Renovations shall not exceed \$10,950,000 (the Authority share is \$10,950,000 and the State General Fund/General Purpose share is \$0), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$10,950,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$850,000 and \$1,077,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 and 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Hood offered the following concurrent resolution:

House Concurrent Resolution No. 24.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group C Grand Rapids State Office Building Renovations.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group C Grand Rapids State Office Building Renovations located in Kent County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group C Grand Rapids State Office Building Renovations shall not exceed \$10,500,000 (the Authority share is \$10,500,000 and the State General Fund/General Purpose share is \$0), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$10,500,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$815,000 and \$1,032,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Rep. Lindberg moved that the House adjourn.
The motion prevailed, the time being 2:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 17, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives