

No. 1
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House Chamber, Lansing, Wednesday, January 9, 2008.

12:00 Noon.

Pursuant to the requirements of the Constitution, the Representatives assembled in Representative Hall in the Capitol at Lansing on the second Wednesday in January, the 9th of January, 2008 at 12:00 o'clock noon, and in accordance with law, were called to order by the Honorable Michael G. Sak, Speaker Pro Tempore of the House of Representatives.

Rep. Steve Tobocman, from the 12th District, offered the following invocation:

“In July of 2007, I lost a friend, teacher, mentor, and my rabbi, when Rabbi Sherwin Wine died in a car crash in Morocco at the age of 79. Sherwin Wine started the Society for Humanistic Judaism nearly 40 years ago after he started the Birmingham Temple in the mid- 1960’s. His break with traditional Judaism was the subject of articles in the New York Times magazine and Time magazine in 1965 and has left a permanent imprint on Judaism’s future. Today, the Society of Humanistic Judaism has 10,000 members in 30 congregations in the U.S., Canada, Israel and the world.

I have chosen some of Rabbi Wine’s words as our prayer for today.

TRUTH

I believe.

I believe in people.

I believe in people who search for truth.

I believe in people who search for truth with open hearts and open minds.

Hearts and minds are not easy to open. Life is less difficult if we memorize an answer and pretend to believe in it. There is comfort in faith, the comfort that comes from acts of loving loyalty. There is strength in dogma, the strength that flows from unquestioning obedience.

The path of dignity is harder to follow. It proceeds along no well-defined route hallowed by the agreement of centuries. It finds no joy in the safety of familiar faces and familiar places. Boldly it seeks out the danger of surprise, the surprise of new ideas and new experiences, the surprise of new discoveries and new adventures. The road is not fixed. It changes with the facts. And we, the explorers on the way, taste the excitement of the search and the fear of never knowing what we will find.

AY-FO O-REE? O-REE BEE.

איפה אנך? אנךיבי.

AY-FO TIK-VA-TEE? TIK-VA-TEE BEE.

איפה חקוה? חקוהי כי.

AY-FO KO-KHEE? KO-KHEE BEE.

איפה כוהי? כוהי בי.

V'-GAM BAKH.

ונם בך.

Where is my light? My light is in me.

Where is my hope? My hope is in me.

Where is my strength? My strength is in me.

And in you.”

By the direction of the Speaker, the Clerk called the roll of the House of Representatives and announced that a quorum was not present.

Motions and Resolutions

Reps. Bieda, Rocca, Miller, Bauer, Byrnes, Caswell, Condino, Constan, Ebli, Farrah, Gaffney, Gonzales, Griffin, Hammel, Hammon, Hansen, Rick Jones, LaJoy, Kathleen Law, Mayes, Meadows, Meltzer, Moss, Opsommer, Polidori, Robertson, Sheltroun, Stakoe, Walker and Wojno offered the following resolution:

House Resolution No. 245.

A resolution to encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers.

Whereas, The federal Communications Act allows local franchising authorities to require cable providers to set aside channels for public, education, or governmental (PEG) use. Most Michigan city and township governments, acting as local franchising authorities, have negotiated the inclusion of PEG channels in their cable packages. In order that these channels be accessible to all cable customers, they are often offered in the lowest tier of channels, thereby allowing those customers who do not subscribe to digital programming to receive the PEG channels; and

Whereas, Local government programming on the PEG channels is an important means used by government officials to reach out to their constituents. PEG channels provide an accessible way for local content to be distributed to the community, and the use of PEG channels by education, government, and healthcare entities has been met with great success; and

Whereas, Customers who subscribe to basic cable do not need a digital box to access the PEG channels, which are currently broadcast in analog format. The move of PEG channels to a higher channel, outside the range of analog television, will require the installation of a digital box. Customers may have to pay a monthly fee in order to maintain the digital box and access to the higher PEG channels. Many elderly and low-income residents may not be able to afford the digital box and will lose access to their PEG channels; now, therefore, be it

Resolved by the House of Representatives, That we encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Public Service Commission, the members of the Michigan congressional delegation, and the Michigan Cable Telecommunications Association.

The resolution was referred to the Committee on Energy and Technology.

Reps. Bieda, Rocca, Miller, Angerer, Ball, Bauer, Byrnes, Caswell, Condino, Constan, Ebli, Farrah, Gaffney, Gonzales, Griffin, Hammel, Hammon, Hansen, Rick Jones, LaJoy, Kathleen Law, Mayes, Meadows, Meltzer, Moss, Opsommer, Polidori, Robertson, Sheltroun, Stakoe, Walker and Wojno offered the following concurrent resolution:

House Concurrent Resolution No. 64.

A concurrent resolution to encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers.

Whereas, The federal Communications Act allows local franchising authorities to require cable providers to set aside channels for public, education, or government (PEG) use. Most Michigan city and township governments, acting as local franchising authorities, have negotiated the inclusion of PEG channels in their cable packages. In order that these channels be accessible to all cable customers, they are often offered in the lowest tier of channels, thereby allowing those customers who do not subscribe to digital programming to receive the PEG channels; and

Whereas, Local government programming on the PEG channels is an important means used by government officials to reach out to their constituents. PEG channels provide an accessible way for local content to be distributed to the community, and the use of PEG channels by education, government, and healthcare entities has been met with great success; and

Whereas, Customers who subscribe to basic cable do not need a digital box to access the PEG channels, which are currently broadcast in analog format. The move of PEG channels to a higher channel, outside the range of analog television, will require the installation of a digital box. Customers may have to pay a monthly fee in order to have a digital box and access to the higher PEG channels. Many elderly and low-income residents may not be able to afford the digital box and will lose access to their PEG channels; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we encourage cable operators to maintain public access channels at their existing, lower tier location and provide these channels at no additional cost to subscribers; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Public Service Commission, the members of the Michigan congressional delegation, and the Michigan Cable Telecommunications Association.

The concurrent resolution was referred to the Committee on Energy and Technology.

Messages from the Senate

January 9, 2008

The Honorable Andy Dillon
Speaker of the House of Representatives
Capitol Building
Lansing, Michigan 48913

Dear Mr. Speaker:

By direction of the Senate, I hereby notify you that a quorum of the Senate has assembled and is ready to proceed with the business of the session.

Very Respectfully,
Carol Morey Viventi, J. D.
Secretary of the Senate

Introduction of Bills

Reps. Rick Jones, Horn, Elsenheimer, Palmer, Caswell, Moore, Moolenaar, Sheltroun, Stahl, Garfield, Mayes, Steil, Pastor, Brandenburg, LaJoy, Green, Moss, Pearce, Calley, Emmons, Agema, Knollenberg, Marleau, Meltzer, Rocca, Opsommer, Ball, Stakoe, Nofs, Sheen, Robertson, Hansen, Hoogendyk, Palsrok, Hune, Huizenga, Dean, Schuitmaker, Meekhof, Shaffer, Pavlov, Amos, Booher, Caul, Simpson and Virgil Smith introduced

House Bill No. 5590, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1175 (MCL 380.1175), as amended by 1995 PA 289.

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

Reps. Walker, Agema, Booher, Nofs, Rick Jones, LeBlanc, Nitz and Moolenaar introduced

House Bill No. 5591, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding part J.

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

Reps. Palsrok and Gillard introduced

House Bill No. 5592, entitled

A bill to create and provide for the operation of the Michigan port authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property and port facilities; to promote economic growth; to exempt property, income, and operations of an authority from tax; and to provide an appropriation.

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

Rep. LeBlanc introduced

House Bill No. 5593, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for

appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.10cc) by adding section 9d.

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

Rep. Sak introduced

House Bill No. 5594, 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. Sak introduced

House Bill No. 5595, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending section 3 (MCL 432.103), as amended by 2006 PA 427.

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

Rep. Sak introduced

House Bill No. 5596, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 9311 (MCL 333.9311) and by adding sections 9316, 9317, and 9318; and to repeal acts and parts of acts.

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

Rep. Sak introduced

House Bill No. 5597, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7cc (MCL 211.7cc), as amended by 2006 PA 664.

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

Rep. Sak introduced

House Bill No. 5598, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” (MCL 552.1 to 552.45) by adding section 22a.

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

Rep. Sak introduced

House Bill No. 5599, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 9325.

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

Rep. Sak introduced

House Bill No. 5600, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2006 PA 440.

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

Rep. Sak introduced

House Bill No. 5601, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 8a and 10 (MCL 125.2688a and 125.2690), section 8a as amended by 2006 PA 476 and section 10 as amended by 2005 PA 164.

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

Rep. Sak introduced

House Bill No. 5602, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

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

Rep. Sak introduced

House Bill No. 5603, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 254.

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

Rep. Opsommer introduced

House Bill No. 5604, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 453.

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

Rep. Opsommer introduced

House Bill No. 5605, entitled

A bill to prohibit certain electronic devices in certain licenses; and to prohibit certain access to databases by foreign countries.

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

Rep. Mayes introduced

House Bill No. 5606, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 267 (MCL 18.1267), as amended by 1999 PA 8.

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

Rep. Tobocman announced that pursuant to House Rule 1(2), the House will stand adjourned until Wednesday, January 16, at 1:30 p.m.

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

RICHARD J. BROWN
Clerk of the House of Representatives

