

No. 11  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
94th Legislature  
REGULAR SESSION OF 2008

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House Chamber, Lansing, Thursday, February 7, 2008.

12:00 Noon.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—excused
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—excused	Marleau—present	Shaffer—present
Booher—present	Gillard—excused	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—excused
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—excused	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. Neil Nitz, from the 78th District, offered the following invocation:

“We gather to join the heavens as they proclaim the glory of the Creator; with the waters and the universe to declare the handiwork of the Creator.

From day to day, and from night to night the Creator’s handiwork speaks of His wisdom and knowledge.

And while, there is no speech and no voice to be heard; a voice goes out throughout all of creation, with a voice that never ceases to praise. (Adapted from Psalm 19:1-4a)

How wonderful is Your handiwork!

So wonderful that the heavens declare Your glory; even the hope of the rainbow displays Your handiwork.

In Your love You gave us the power to behold the splendor and magnificence of a world that You robed in splendor.

The sun and stars, the valleys and the hills, the rivers and lakes, all reveal Your presence.

The breaking waters clap, and Your white beaches sing underfoot.

The dunes frame the splendor of Your creation, and shout of Your awesome glory.

The creatures of the field and wood, and the birds of the sky tell of Your awesome power and might.

In Your goodness You have gifted us with the ears and senses to hear and feel the music of Your creation.

And the voices of those we love who reveal to us that You are always present with us;

Yours is the divine voice that sings throughout all creation; (Adapted from a Jewish Prayer)

Let us hear Your voice more clearly. Amen.”

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Rep. Shaffer moved that Reps. Garfield, Moolenaar and Pearce be excused from today’s session.  
The motion prevailed.

Rep. Tobocman moved that Reps. Gillard and Virgil Smith be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Committee on Transportation, by Rep. Hopgood, Chair, reported

#### **House Bill No. 4505, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 307, 307a, 310, and 314 (MCL 257.303, 257.307, 257.307a, 257.310, and 257.314), sections 303, 307, 307a, and 314 as amended by 2006 PA 298 and section 310 as amended by 2005 PA 141.

With the recommendation that the substitute (H-3) 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. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young and Nitz

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

#### **House Bill No. 5535, entitled**

A bill to authorize the secretary of state to issue enhanced driver licenses and state personal identification cards to United States citizens who reside in Michigan to facilitate travel between the United States and Canada; to establish certain funds and prescribe duties for certain officials; and to prohibit certain conduct and prescribe penalties.

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. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Pavlov, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

**House Bill No. 5536, 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 2005 PA 207.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Pavlov, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

**House Bill No. 5537, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1a and 8 (MCL 28.291a and 28.298), as added by 1997 PA 99, and 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. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Pavlov, Stahl and Knollenberg

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hopgood, Chair, of the Committee on Transportation, was received and read:  
Meeting held on: Thursday, February 7, 2008

Present: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Stahl and Knollenberg

Absent: Rep. Pearce

Excused: Rep. Pearce

## Second Reading of Bills

**House Bill No. 4505, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 307, 307a, 310, and 314 (MCL 257.303, 257.307, 257.307a, 257.310, and 257.314), sections 303, 307, 307a, and 314 as amended by 2006 PA 298 and section 310 as amended by 2005 PA 141.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Transportation,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 2, line 18, after “Sec. 51a.” by striking out the balance of the section and inserting ““Resident” means every person who resides in **THIS STATE AND ESTABLISHES THAT HE OR SHE IS LEGALLY PRESENT IN THE UNITED STATES.** This definition **APPLIES** to this act only.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 24, following line 14, by inserting:

**“(16) THE SECRETARY OF STATE SHALL NOT ISSUE AN OPERATOR’S LICENSE OR A CHAUFFEUR’S LICENSE TO A PERSON HOLDING AN OPERATOR’S LICENSE OR CHAUFFEUR’S LICENSE ISSUED BY ANOTHER STATE WITHOUT CONFIRMATION THAT THE PERSON IS TERMINATING OR HAS TERMINATED THE OPERATOR’S LICENSE OR CHAUFFEUR’S LICENSE ISSUED BY THE OTHER STATE.**

**(17) THE SECRETARY OF STATE SHALL DO ALL OF THE FOLLOWING:**

**(A) ENSURE THE PHYSICAL SECURITY OF LOCATIONS WHERE OPERATOR’S LICENSES AND CHAUFFEUR’S LICENSES ARE PRODUCED AND THE SECURITY OF DOCUMENT MATERIALS AND PAPERS FROM WHICH OPERATOR’S LICENSES AND CHAUFFEUR’S LICENSES ARE PRODUCED.**

**(B) SUBJECT ALL PERSONS AUTHORIZED TO MANUFACTURE OR PRODUCE OPERATOR’S LICENSES OR CHAUFFEUR’S LICENSES AND ALL PERSONS WHO HAVE THE ABILITY TO AFFECT THE IDENTITY INFORMATION THAT APPEARS ON OPERATOR’S LICENSES OR CHAUFFEUR’S LICENSES TO APPROPRIATE SECURITY CLEARANCE REQUIREMENTS. THE SECURITY REQUIREMENTS OF THIS SUBDIVISION AND SUBDIVISION (A) MAY REQUIRE THAT LICENSES BE MANUFACTURED OR PRODUCED IN THIS STATE.**

**(C) PROVIDE FRAUDULENT DOCUMENT RECOGNITION PROGRAMS TO DEPARTMENT OF STATE EMPLOYEES ENGAGED IN THE ISSUANCE OF OPERATOR’S LICENSES AND CHAUFFEUR’S LICENSES.”.**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4505, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 307, 307a, 310, and 314 (MCL 257.303, 257.307, 257.307a, 257.310, and 257.314), sections 303, 307, 307a, and 314 as amended by 2006 PA 298 and section 310 as amended by 2005 PA 141.

The bill was read a third time.

The question being on the passage of the bill,

Rep. LaJoy moved to substitute (H-5) the bill.

The motion was seconded.

The question being on the adoption of the substitute (H-5) offered by Rep. LaJoy,

Rep. Hildenbrand demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-5) offered by Rep. LaJoy,

The substitute (H-5) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 16

#### Yeas—92

Accavitti	Donigan	Lahti	Pastor
Acciavatti	Ebli	LaJoy	Pavlov
Agema	Elsenheimer	Law, David	Polidori
Amos	Emmons	Law, Kathleen	Proos
Angerer	Espinoza	LeBlanc	Robertson
Ball	Farrah	Leland	Rocca

Bauer	Gaffney	Lemmons	Sak
Bieda	Gonzales	Lindberg	Schuitmaker
Booher	Green	Marleau	Shaffer
Brandenburg	Griffin	Mayer	Sheen
Brown	Hammel	McDowell	Sheltrown
Byrum	Hammon	Meekhof	Simpson
Calley	Hansen	Meisner	Spade
Casperson	Hildenbrand	Melton	Stahl
Caswell	Hoogendyk	Meltzer	Stakoe
Caul	Hopgood	Miller	Steil
Clack	Horn	Moore	Vagnozzi
Clemente	Huizenga	Moss	Valentine
Constan	Hune	Nitz	Walker
Corriveau	Jackson	Nofs	Ward
Dean	Johnson	Opsommer	Wenke
DeRoche	Jones, Rick	Palmer	Wojno
Dillon	Knollenberg	Palsrok	Young

### Nays—13

Bennett	Coulouris	Jones, Robert	Smith, Alma
Byrnes	Cushingberry	Meadows	Tobocman
Cheeks	Hood	Scott	Warren
Condino			

In The Chair: Sak

The question being on the passage of the bill,

Rep. Hopgood moved to substitute (H-6) the bill.

The motion was seconded and the substitute (H-6) was adopted, a majority of the members serving voting therefor.  
The question being on the passage of the bill,

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 2, line 16, after “who” by striking out the balance of the line through “only.” on line 21 and inserting “resides in a settled or permanent home or domicile with the intention of remaining in this state. A person who obtains employment in this state is presumed to have the intention of remaining in this state **AND ESTABLISHES THAT HE OR SHE IS LEGALLY PRESENT IN THE UNITED STATES.** This definition shall apply ~~APPLIES~~ to the provisions of this act only.”.

2. Amend page 14, line 7, after “**OR**” by striking out “**A**” and inserting “**AN APPROVED**”.

3. Amend page 14, line 14, after “**(C)**” by striking out the balance of the line through “**THEN**” on line 25.

4. Amend page 24, following line 23, by inserting:

**“(16) THE SECRETARY OF STATE SHALL NOT ISSUE AN OPERATOR’S LICENSE OR A CHAUFFEUR’S LICENSE TO A PERSON HOLDING AN OPERATOR’S LICENSE OR CHAUFFEUR’S LICENSE ISSUED BY ANOTHER STATE WITHOUT CONFIRMATION THAT THE PERSON IS TERMINATING OR HAS TERMINATED THE OPERATOR’S LICENSE OR CHAUFFEUR’S LICENSE ISSUED BY THE OTHER STATE.**

**(17) THE SECRETARY OF STATE SHALL DO ALL OF THE FOLLOWING:**

**(A) ENSURE THE PHYSICAL SECURITY OF LOCATIONS WHERE OPERATOR’S LICENSES AND CHAUFFEUR’S LICENSES ARE PRODUCED AND THE SECURITY OF DOCUMENT MATERIALS AND PAPERS FROM WHICH OPERATOR’S LICENSES AND CHAUFFEUR’S LICENSES ARE PRODUCED.**

**(B) SUBJECT ALL PERSONS AUTHORIZED TO MANUFACTURE OR PRODUCE OPERATOR’S LICENSES OR CHAUFFEUR’S LICENSES AND ALL PERSONS WHO HAVE THE ABILITY TO AFFECT THE IDENTITY INFORMATION THAT APPEARS ON OPERATOR’S LICENSES OR CHAUFFEUR’S LICENSES TO APPROPRIATE SECURITY CLEARANCE REQUIREMENTS. THE SECURITY REQUIREMENTS OF THIS SUBDIVISION AND SUBDIVISION (A) MAY REQUIRE THAT LICENSES BE MANUFACTURED OR PRODUCED IN THIS STATE.**

**(C) PROVIDE FRAUDULENT DOCUMENT RECOGNITION PROGRAMS TO DEPARTMENT OF STATE EMPLOYEES ENGAGED IN THE ISSUANCE OF OPERATOR'S LICENSES AND CHAUFFEUR'S LICENSES.'.**

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 17**

**Yeas—103**

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

**Nays—2**

Cushingberry

Tobocman

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 50a, 51a, 251b, 251d, 302, 303, 307, 310, 315, 318, 511, 728, 749, 801, 814, and 819 (MCL 257.40b, 257.50a, 257.51a, 257.251b, 257.251d, 257.302, 257.303, 257.307, 257.310, 257.315, 257.318, 257.511, 257.728, 257.749, 257.801, 257.814, and 257.819), section 40b as added by 1997 PA 100, section 50a as added and section 315 as amended by 1999 PA 118, sections 302, 303, and 307 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 728 as amended by 1993 PA 301, section 749 as amended by 1984 PA 331, section 801 as amended by 2006 PA 562, and section 819 as amended by 1990 PA 168.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Tobocman, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

It is my firm belief that the safety and security of Michigan residents is jeopardized by the passage of this bill. Clearly, the Legislature needed to address the debacle created by Attorney General Cox’s erroneous opinion, as well as Secretary of State Land’s draconian and overreaching implementation of this policy. During this economic crisis, the last thing Michigan needs is the political gamesmanship shown by these State leaders that has permanently damaged Michigan’s reputation as an international business leader.

It is truly sad that, at a time when our Michigan Economic Development Corporation and Governor have been successfully recruiting foreign investments that have produced thousands of jobs and millions of dollars in economic activity, the Attorney General and Secretary of State have chosen to grandstand against immigrants (albeit legal ones).

The physical security of Michigan residents, on our roads, as well as from crime and terrorism, are placed in jeopardy, when tens of thousands of drivers and residents in our state are driven underground and the incentives to attain auto insurance, pass a road test and demonstrate familiarity with our road regulations are removed. National security experts have agreed that our country is far safer when more people are in our state driver’s license databases. This bill will vastly increase the number of unidentified persons in Michigan.

This bill will prohibit undocumented residents in Michigan from getting a driver’s license. As such, they will be far less likely to attain auto insurance or enroll in driver’s safety courses. This will increase the number of auto accidents, as well as the number of times people flee from accidents. In Illinois, it has been estimated that a policy similar to this one raised auto insurance rates by an average of \$117 per year. Michigan, with the highest auto insurance rates in the country, should be following the lead of states like New Mexico and Utah, which have seen rates drop 67% and 35%, respectively, after state policies were broadened to insure all drivers could obtain valid driver’s licenses.

I also fear the criminal activity that I expect to be fostered by this bill. By forcing Michigan drivers underground to obtain driver’s licenses, we are subsidizing a criminal activity that has been documented at our Secretary of State’s offices, as well as those of other states.

Finally, I find this bill to be inhumane and an abomination to the values that make Michigan and America great. It is designed to tear immigrant families apart and to deny a reasonable quality of life to those who have come to Michigan to make a better way of life, to contribute to our economy, and to enjoy the personal freedoms of this great nation. I venture to guess that this bill would have greatly harmed the parents, grandparents, and great-grandparents of the vast majority of this Legislature. I do not believe that most of us would have had the chance to enjoy the riches of this state, nor serve in the leadership positions we enjoy, if Michigan were run decades ago as it is being run today.

The real solution to this issue lays in comprehensive immigration reform. One can only hope that we elect a President and Congress with the courage to create just and real solutions to these challenges.”

## Second Reading of Bills

### House Bill No. 5535, entitled

A bill to authorize the secretary of state to issue enhanced driver licenses and state personal identification cards to United States citizens who reside in Michigan to facilitate travel between the United States and Canada; to establish certain funds and prescribe duties for certain officials; and to prohibit certain conduct and prescribe penalties.

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

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

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 2, line 13, by striking all of subdivision (d) and inserting:

“(d) “Resident” means every person who resides in this state and establishes that he or she is legally present in the United States. This definition applies to the provisions of this act only.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Reps. Miller and Opsommer moved to amend the bill as follows:

1. Amend page 7, following line 16, by inserting:

“(9) The secretary of state shall not compile or maintain a database under this act that may be shared with a country other than the United States.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Reps. Miller and Opsommer moved to amend the bill as follows:

1. Amend page 4, line 2, after “technology” by inserting “that is limited to retaining and transmitting data that are encrypted and do not include biometric data”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5535, entitled

A bill to authorize the secretary of state to issue enhanced driver licenses and state personal identification cards to United States citizens who reside in Michigan to facilitate travel between the United States and Canada; to establish certain funds and prescribe duties for certain officials; and to prohibit certain conduct and prescribe penalties.

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

#### Roll Call No. 18

#### Yeas—104

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

#### Nays—1

Palmer

In The Chair: Sak

The House agreed to the title of the bill.



Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Bauer, Bennett, Brown, Clack, Condino, Constan, Dean, Donigan, Espinoza, Hammel, Hammon, Hopgood, Rick Jones, Robert Jones, LaJoy, LeBlanc, Lemmons, Marleau, Mayes, Meadows, Melton, Polidori, Sak, Schuitmaker, Scott, Sheltroun and Simpson were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 5536, 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 2005 PA 207.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5536, 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 2005 PA 207.

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

#### Roll Call No. 19

#### Yeas—105

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

**Nays—0**

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Ball, Bennett, Condino, Constan, Gonzales, Hammel, Hammon, Hopgood, Jackson, Johnson, Robert Jones, Lahti, Leland, Lemmons, Mayes, Melton, Polidori, Sak, Schuitmaker, Scott, Simpson and Spade were named co-sponsors of the bill.

**Second Reading of Bills**

**House Bill No. 5537, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1a and 8 (MCL 28.291a and 28.298), as added by 1997 PA 99, and by adding section 9a.

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

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

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 19, following line 7, by inserting:

**"SEC. 9A. (1) THE SECRETARY OF STATE SHALL NOT ISSUE AN OFFICIAL STATE PERSONAL IDENTIFICATION CARD TO A PERSON HOLDING AN OPERATOR'S LICENSE, CHAUFFEUR'S LICENSE, OR AN OFFICIAL STATE GOVERNMENT PERSONAL IDENTIFICATION CARD ISSUED BY ANOTHER STATE WITHOUT CONFIRMATION THAT THE PERSON IS TERMINATING OR HAS TERMINATED THE OPERATOR'S LICENSE, CHAUFFEUR'S LICENSE, OR OFFICIAL STATE GOVERNMENT PERSONAL IDENTIFICATION CARD ISSUED BY THE OTHER STATE.**

**(2) THE SECRETARY OF STATE SHALL DO ALL OF THE FOLLOWING:**

**(A) ENSURE THE PHYSICAL SECURITY OF LOCATIONS WHERE OFFICIAL STATE PERSONAL IDENTIFICATION CARDS ARE PRODUCED AND THE SECURITY OF DOCUMENT MATERIALS AND PAPERS FROM WHICH OFFICIAL STATE PERSONAL IDENTIFICATION CARDS ARE PRODUCED.**

**(B) SUBJECT ALL PERSONS AUTHORIZED TO MANUFACTURE OR PRODUCE OFFICIAL STATE PERSONAL IDENTIFICATION CARDS AND ALL PERSONS WHO HAVE THE ABILITY TO AFFECT THE IDENTITY INFORMATION THAT APPEARS ON OFFICIAL STATE PERSONAL IDENTIFICATION CARDS TO APPROPRIATE SECURITY CLEARANCE REQUIREMENTS. THE SECURITY REQUIREMENTS OF THIS SUBDIVISION AND SUBDIVISION (A) MAY REQUIRE THAT OFFICIAL STATE PERSONAL IDENTIFICATION CARDS BE MANUFACTURED OR PRODUCED IN THIS STATE.**

**(C) PROVIDE FRAUDULENT DOCUMENT RECOGNITION PROGRAMS TO DEPARTMENT OF STATE EMPLOYEES ENGAGED IN THE ISSUANCE OF OFFICIAL STATE PERSONAL IDENTIFICATION CARDS."**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 5, line 9, by striking out all of subdivision (D) and inserting:

**"(D) "RESIDENT" MEANS EVERY PERSON WHO RESIDES IN THIS STATE AND ESTABLISHES THAT HE OR SHE IS LEGALLY PRESENT IN THE UNITED STATES. THIS DEFINITION APPLIES TO THE PROVISIONS OF THIS ACT ONLY."**

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 3, line 5, after "OR" by striking out "A" and inserting "AN APPROVED".

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Huizenga moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.  
 Rep. Tobocman moved that the bill be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**House Bill No. 5537, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1a and 8 (MCL 28.291a and 28.298), as added by 1997 PA 99, and by adding section 9a.

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

**Roll Call No. 20**

**Yeas—105**

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

**Nays—0**

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the

powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending sections 1, 1a, 2, and 8 (MCL 28.291, 28.291a, 28.292, and 28.298), sections 1 and 2 as amended by 2005 PA 143, sections 1a and 8 as added by 1997 PA 99, and to add section 9a.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

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The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

By unanimous consent the House returned to the order of

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 267** out of numerical order.

Reps. Sak, Accavitti, Ball, Bieda, Brandenburg, Brown, Condino, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Robert Jones, Lemmons, Meadows, Meisner, Miller, Polidori, Scott, Sheltroun, Stahl, Tobocman, Vagnozzi, Valentine, Wojno, Bauer, Clack, Hammel, Hammon, LeBlanc, Leland, Melton, Angerer and Clemente offered the following resolution:

#### **House Resolution No. 267.**

A resolution to memorialize the Congress of the United States to extend unemployment benefits as a key part of the federal economic stimulus package.

Whereas, Our nation, and the state of Michigan in particular, faces one of the most challenging economies of recent decades. Global economic and social forces have led to a tsunami of challenges in the marketplace and painful job losses. The recently announced economic stimulus package, however, offers a sterling opportunity to revitalize our economy and bring new hope to the many hardworking men and women who have been victimized by our financial hardships; and

Whereas, Indeed, the financial stimulus package contains proposals for income tax rebates, business incentives, and increased federal aid for state human service provision. Above all, the package proposals have included a 26-week extension of unemployment benefits. This extension would be invaluable in helping provide financial stability and basic human dignity to those who, through no fault of their own, have both lost their jobs and run out of employment security benefits; and

Whereas, A federal extension of employment security benefits is a key component of a successful economic revitalization initiative. This aspect of the stimulus package could truly mean everything to the unemployed facing spiraling energy costs, a challenging job market, and declining housing values. Clearly, with unemployment levels projected to hover around eight percent for the remainder of the decade, it is critical for this state to be able to offer an extension of unemployment benefits; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to extend unemployment benefits as a key part of the federal economic stimulus package; 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.

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.

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, February 12, at 1:30 p.m. The motion prevailed.

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

Reps. Bauer, Ball, Bieda, Booher, Brown, Condino, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Hansen, Rick Jones, Robert Jones, Lemmons, Meisner, Polidori, Proos, Sheltroun, Tobocman, Vagnozzi, Valentine, Wojno, Clack, Hammel, Hammon, Leland, Melton and Nitz offered the following resolution:

**House Resolution No. 266.**

A resolution declaring February 10, 2008 as Michigan College Goal Sunday.

Whereas, EduGuide initiated Michigan College Goal Sunday in 2004 on the second Sunday in February to help students access financial aid so they can afford to attend college. Since one-in-four students who said they wanted to go to college but never made it, later say they probably would have gone if they knew more about financial aid; and

Whereas, EduGuide coordinates the statewide volunteer effort to help families, especially low-income families and those who do not have a college-going tradition, complete the complex, federal financial aid application (Free Application for Federal Student Aid form – the FAFSA) required to qualify for college financial aid nationwide; and

Whereas, EduGuide has responded to the demand for the expansion of Michigan College Goal Sunday by growing from 10 College Goal Sunday sites in 2004 to 27 sites in 2008; and

Whereas, EduGuide now works with more than 300 volunteers and collaborates with state agencies, universities and colleges and several funding partners to create the largest free financial aid form completion program in the nation, helping to dramatically boost FAFSA application forms and thus access to financial aid by Michigan's families; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare February 10, 2008 as Michigan College Goal Sunday. We applaud the efforts of EduGuide to initiate Michigan College Goal Sunday to help increase the number of Michigan students who access financial aid so they can afford to attend college.

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. Sak, Accavitti, Ball, Bieda, Booher, Brown, Condino, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Hansen, Rick Jones, Robert Jones, Lemmons, Meadows, Meisner, Miller, Polidori, Scott, Sheltroun, Tobocman, Vagnozzi, Valentine, Wojno, Bauer, Clack, Hammel, Hammon, LeBlanc, Leland and Clemente offered the following resolution:

**House Resolution No. 268.**

A resolution to memorialize the United States Congress to enact legislation to reform the No Child Left Behind Act.

Whereas, The No Child Left Behind Act (NCLB) is an ambitious effort by the federal government to ensure that all states improve K-12 education opportunities. While standards, accountability, and benchmarks are key features of this landmark 2002 legislation, the goal of making sure all of our children receive a quality education must not be forgotten. The current reauthorization process for NCLB is an opportunity to reform the act to ensure that no child is left behind in this federal, state, and school partnership; and

Whereas, NCLB needs to be amended in a number of areas to fulfill its admirable goal. First, while schools are being identified for failing to meet standards, Congress has not met its promises for funding levels to allow schools to correct identified inadequacies. Further, a whole range of initiatives that expand early education, before- and after-school programs, summer school options, and family support, would enhance the ability of our schools to educate all of our children to their full potential; and

Whereas, Schools also need flexibility in a whole range of areas. Special education implementation, teacher subject area competency, school benchmarks, and student cohort definitions must not be imposed from Washington, D.C. Local educators and state legislatures must be allowed to refine these aspects of NCLB to reflect local conditions and needs. Flexibility and more sophisticated measurements will keep the focus on educating children and not meeting unrealistic and rigid standards; and

Whereas, The entire sanctions concept must be revised. It may be comforting to think that NCLB sanctions "schools" when they do not meet NCLB-established standards, but in reality we sanction children in those schools by withholding or effectively diverting resources from those schools. The first response must be to target additional resources to correct recognized deficiencies; and

Whereas, To support effective intervention in failing schools, develop proper standards that promote education of all children, and ensure relevant definitions and procedures that reflect real conditions, NCLB must be amended to ensure that the act's assumptions and standards are based on sound research in student achievement and effective teaching; and

Whereas, The reauthorization of the No Child Left Behind Act is an opportunity to refine the admirable goals of the act based on five years of experience in implementing the 2002 initiative. We have much to do before "no child left behind" is more than just a goal; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to enact legislation to reform the No Child Left Behind Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.  
The resolution was referred to the Committee on Education.

Reps. Hune, Ball, Dean, Farrah, Lemmons, Vagnozzi, Clack and Nitz offered the following resolution:

**House Resolution No. 269.**

A resolution to ask the International Transmission Company to bury the Genoa-Durant electric transmission line underground in Hartland Township, Livingston County.

Whereas, The International Transmission Company (ITC) is a federally regulated company that owns and controls the electric transmission network in the lower peninsula of Michigan. Recently, ITC determined the need for an additional transmission line in order to serve southeast Michigan. ITC's proposed 120 kilovolt transmission line will connect the existing Genoa electric substation to the as yet to be constructed Durant substation in Milford. The Genoa-Durant line will run from and through Genoa, Hartland, Oceola, Brighton and Milford townships in Livingston and Oakland counties; and

Whereas, ITC's proposed plan for the Genoa-Durant line calls for the erection of overhead transmission lines and galvanized steel poles in Hartland Township. Elsewhere, outside Livingston County, their proposed plan calls for the transmission lines to be buried. Apparently, ITC considered the standard of development in Oakland County and decided to bury the lines there; and

Whereas, The property in Hartland Township where ITC is proposing to erect the gargantuan steel towers includes upscale residential developments and neighborhoods. Property owners in Hartland Township agreed to the costs associated with burying electrical lines when they constructed their homes in order to maintain a certain aesthetic. Hartland Township is a place where people move who want to retain a sense of big spaces. The Township has shown a commitment to green space, large lots, and commercial setbacks; and

Whereas, The Hartland Township area has seen a reduction in property values due to the current stressed economic times. The owners of the Hartland Township properties have a sizeable investment with their developed property and the current Michigan economy has reduced the value of their homes. The construction of the ITC above ground utility lines will further affect the property value of many Hartland Township homes; and

Whereas, Some research has found that exposure to extremely low-frequency electric and magnetic fields (EMF) emanating from transmission lines may be implicated in a number of diseases, such as leukemia, breast cancer, and neuro-degenerative diseases. Underground transmission lines eliminate the electric field and reduce the impact of the magnetic field. Burying transmission lines can mitigate the dangers associated with overhead transmission lines and ensure the health and safety of Hartland Township residents; and

Whereas, The largest part of ITC's transmission network lies in the state of Michigan and ITC's corporate headquarters are located in Novi, Michigan. It is disappointing for many Michigan residents to see a Michigan company make decisions that hurt Michigan families during such difficult times. Construction of miles of 100-foot steel poles down the center of Hartland Township will be devastating, both aesthetically and economically; now, therefore, be it

Resolved by the House of Representatives, That we ask the International Transmission Company to bury the Genoa-Durant electric transmission line underground in Hartland Township, Livingston County; and be it further

Resolved, That copies of this resolution be transmitted to the Chairman of the Michigan Public Service Commission, the Hartland Township Board, and the President of the International Transmission Company.

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

Reps. Steil, Ball, Brandenburg, Constan, Horn, Lemmons, Marleau, Stahl and Hammon offered the following resolution:

**House Resolution No. 270.**

A resolution to memorialize the United States Senate to enact the President's economic stimulus package.

Whereas, The economy is the key to our nation's health and prosperity. Escalating energy costs, global strife, the nationwide drop in home values, and other forces largely beyond our control, however, have fractured many of the pillars of our nation's financial stability. In response to this challenge, the President has recently presented the United States Congress with an economic stimulus package designed to restore hope in the strength our economy; and

Whereas, Clearly, rapid action on the President's economic stimulus package is critical to its success. Countless numbers of job providers and hard-working men and women have been hit by the downturn of the economy. In fact, nearly every facet of our society has been negatively impacted by the decline in the marketplace. This economic shot in the arm is vital to our nation, and the State of Michigan in particular; and

Whereas, The centerpiece of the President's economic stimulus package is a significant tax rebate. Combined with targeted business incentives and other measures to stimulate the economy and aid those adjusting to the challenges of the new economy, this package offers hope and opportunity at a time in which it is desperately needed. Indeed, fast action is necessary to restore confidence and spur spending and investment; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the United States Senate to enact the President's economic stimulus package; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Oversight and Investigations.

Reps. Sak, Accavitti, Ball, Bieda, Brown, Condino, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Rick Jones, Robert Jones, Lemmons, Meadows, Meisner, Miller, Polidori, Scott, Sheltroun, Tobocman, Vagnozzi, Valentine, Wojno, Bauer, Clack, Hammel, Hammon, LeBlanc, Leland and Clemente offered the following concurrent resolution:

**House Concurrent Resolution No. 70.**

A concurrent resolution to memorialize the United States Congress to enact legislation to reform the No Child Left Behind Act.

Whereas, The No Child Left Behind Act (NCLB) is an ambitious effort by the federal government to ensure that all states improve K-12 education opportunities. While standards, accountability, and benchmarks are key features of this landmark 2002 legislation, the goal of making sure all of our children receive a quality education must not be forgotten. The current reauthorization process for NCLB is an opportunity to reform the act to ensure that no child is left behind in this federal, state, and school partnership; and

Whereas, NCLB needs to be amended in a number of areas to fulfill its admirable goal. First, while schools are being identified for failing to meet standards, Congress has not met its promises for funding levels to allow schools to correct identified inadequacies. Further, a whole range of initiatives that expand early education, before- and after-school programs, summer school options, and family support, would enhance the ability of our schools to educate all of our children to their full potential; and

Whereas, Schools also need flexibility in a whole range of areas. Special education implementation, teacher subject area competency, school benchmarks, and student cohort definitions must not be imposed from Washington, D.C. Local educators and state legislatures must be allowed to refine these aspects of NCLB to reflect local conditions and needs. Flexibility and more sophisticated measurements will keep the focus on educating children and not meeting unrealistic and rigid standards; and

Whereas, The entire sanctions concept must be revised. It may be comforting to think that NCLB sanctions “schools” when they do not meet NCLB-established standards, but in reality we sanction children in those schools by withholding or effectively diverting resources from those schools. The first response must be to target additional resources to correct recognized deficiencies; and

Whereas, To support effective intervention in failing schools, develop proper standards that promote education of all children, and ensure relevant definitions and procedures that reflect real conditions, NCLB must be amended to ensure that the act’s assumptions and standards are based on sound research in student achievement and effective teaching; and

Whereas, The reauthorization of the No Child Left Behind Act is an opportunity to refine the admirable goals of the act based on five years of experience in implementing the 2002 initiative. We have much to do before “no child left behind” is more than just a goal; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to enact legislation to reform the No Child Left Behind Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Education.

Reps. Opsommer, Ball, Booher, Brandenburg, Casperson, Cushingberry, Hansen, Horn, Rick Jones, Lemmons, Marleau, Meadows, Scott, Stahl, Vagnozzi, Nitz and Rocca offered the following concurrent resolution:

**House Concurrent Resolution No. 71.**

A concurrent resolution to memorialize Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states.

Whereas, To ensure greater national security, the United States government now has stricter identification standards in place to gain re-entry into the United States. A passport is currently required in order to enter the United States by air. Starting in June of 2009, a passport may also be required for all ground crossings, including re-entry from Mexico and Canada. The Department of Homeland Security has also stated that, in the future, a passport may become one of a new breed of identity documents necessary for even domestic tasks, including boarding airplanes for flights that stay entirely within the United States. It is therefore becoming evident that passports will become a document that even citizens not traveling overseas will need, including for domestic and non-travel related reasons; and

Whereas, Three-quarters of all travelers enter the United States through our 163 land ports of entry. Michigan residents have traditionally been able to move back and forth across the Canadian border with a \$25 driver license or a birth certificate for identification. The free flow of consumer and tourist traffic between Canada and Michigan is a boost to the Michigan and national economies. Conversely, inhibiting citizens from crossing the border could negatively affect the local and national economies; and

Whereas, More residents, especially those of border states like Michigan, should be encouraged to obtain a traditional, fully functioning passport in order to comply with federal laws and to aid in border crossings. Despite a recent Government Accountability Office investigation that showed citizens being overcharged, traditional passports have seen recent price increases that sometimes put the price at over \$100. A \$100 cost will be prohibitive for many residents and discourage free travel, or will force citizens into newer “passport-lite” alternatives that are of limited utility and encroach upon the privacy and sovereignty of state documents. A federal subsidy that reduces the price of traditional federal passports to \$50, either through a direct price reduction or fully refundable tax deduction, could allay the cost and encourage passport purchases and free travel, thus aiding the economy. These reductions should come out of the monies the federal government would ordinarily receive, and not from reimbursement costs the federal government uses for security checks or initial passport processing by clerks or other local government officials; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Oversight and Investigations.

Reps. Sak, Accavitti, Ball, Bieda, Brown, Condino, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Robert Jones, Lemmons, Meadows, Meisner, Miller, Polidori, Scott, Sheltroun, Stahl, Tobocman, Vagnozzi, Valentine, Wojno, Bauer, Clack, Hammel, Hammon, LeBlanc, Leland, Melton and Angerer offered the following concurrent resolution:

**House Concurrent Resolution No. 72.**

A concurrent resolution to memorialize the Congress of the United States to extend unemployment benefits as a key part of the federal economic stimulus package.

Whereas, Our nation, and the state of Michigan in particular, faces one of the most challenging economies of recent decades. Global economic and social forces have led to a tsunami of challenges in the marketplace and painful job losses. The recently announced economic stimulus package, however, offers a sterling opportunity to revitalize our economy and bring new hope to the many hardworking men and women who have been victimized by our financial hardships; and

Whereas, Indeed, the financial stimulus package contains proposals for income tax rebates, business incentives, and increased federal aid for state human service provision. Above all, the package proposals have included a 26-week extension of unemployment benefits. This extension would be invaluable in helping provide financial stability and basic human dignity to those who, through no fault of their own, have both lost their jobs and run out of employment security benefits; and

Whereas, A federal extension of employment security benefits is a key component of a successful economic revitalization initiative. This aspect of the stimulus package could truly mean everything to the unemployed facing spiraling energy costs, a challenging job market, and declining housing values. Clearly, with unemployment levels projected to hover around eight percent for the remainder of the decade, it is critical for this state to be able to offer an extension of unemployment benefits; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we hereby memorialize the Congress of the United States to extend unemployment benefits as a key part of the federal economic stimulus package; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Labor.

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, February 7:

<b>House Bill Nos.</b>	<b>5683</b>	<b>5684</b>	<b>5685</b>	<b>5686</b>	<b>5687</b>	<b>5688</b>	<b>5689</b>	<b>5690</b>	<b>5691</b>	<b>5692</b>	<b>5693</b>	<b>5694</b>	<b>5695</b>	<b>5696</b>
<b>Senate Bill Nos.</b>	<b>1084</b>	<b>1085</b>												

**Reports of Standing Committees**

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**Senate Bill No. 47, entitled**

A bill to provide for the establishment of a water improvement tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in water resources; to authorize the acquisition and



disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote water resource improvement; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Huizenga, Hildenbrand and Pastor

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, February 7, 2008

Present: Reps. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Pastor

Absent: Rep. Garfield

Excused: Rep. Garfield

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

#### **House Bill No. 4525, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 2005 PA 143.

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

1. Amend page 2, following line 25, by inserting:

"Enacting section 1. This amendatory act takes effect June 1, 2008." and renumbering the remaining enacting section.

2. Amend page 3, line 2, by striking out the balance of the enacting section and inserting:

"(a) House Bill No. 4526.

(b) House Bill No. 4527.

(c) House Bill No. 4528.

(d) House Bill No. 5568."

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

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: None

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

#### **House Bill No. 4526, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 37a.

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

1. Amend page 1, following line 6, by inserting:

"Enacting section 1. This amendatory act takes effect June 1, 2008." and renumbering the remaining enacting section.

2. Amend page 1, line 10, by striking out the balance of the enacting section and inserting:

"(a) House Bill No. 4525.

(b) House Bill No. 4527.

(c) House Bill No. 4528.

(d) House Bill No. 5568.”.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Stakoe and Rick Jones

Nays: Rep. Rocca

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

#### **House Bill No. 4527, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending sections 35, 37, and 67 (MCL 791.235, 791.237, and 791.267), section 35 as amended by 1998 PA 315, section 37 as amended by 1994 PA 217, and section 67 as amended by 1996 PA 565, and by adding section 34b.

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

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: None

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

#### **House Bill No. 4528, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 307 (MCL 257.307), as amended by 2006 PA 298.

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

1. Amend page 11, following line 18, by inserting:

“Enacting section 1. This amendatory act takes effect June 1, 2008.” and renumbering the remaining enacting section.

2. Amend page 11, line 22, by striking out the balance of the enacting section and inserting:

“(a) House Bill No. 4525.

(b) House Bill No. 4526.

(c) House Bill No. 4527.

(d) House Bill No. 5568.”.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: None

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

#### **House Bill No. 5568, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

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, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

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

**Senate Bill No. 565, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 110 and 111 (MCL 750.110 and 750.111), section 110 as amended by 1994 PA 270.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Condino, Bieda, Corriveau, Meadows, Meisner, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones 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: Thursday, February 7, 2008

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

Absent: Rep. Virgil Smith

Excused: Rep. Virgil Smith

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 7, 2008

Present: Reps. Cushingberry, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

Absent: Rep. Gillard

## Messages from the Governor

Date: February 7, 2008

Time: 9:05 a.m.

## To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5123 (Public Act No. 3, I.E.), being**

An act to amend 2005 PA 210, entitled "An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; 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 certain local governmental officials; and to provide penalties," by amending section 2 (MCL 207.842), as amended by 2006 PA 554.

(Filed with the Secretary of State February 7, 2008, at 9:55 a.m.)

Date: February 7, 2008  
Time: 9:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5101 (Public Act No. 4, I.E.), being**

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,” by amending section 4 (MCL 207.774), as amended by 2006 PA 661.

(Filed with the Secretary of State February 7, 2008, at 9:57 a.m.)

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Rep. Proos moved that the House adjourn.  
The motion prevailed, the time being 3:20 p.m.

Associate Speaker Pro Tempore Byrnes declared the House adjourned until Tuesday, February 12, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives