

No. 36
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Tuesday, April 22, 2008.

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—excused	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—excused	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. John Espinoza, from the 83rd District, offered the following invocation:

“Heavenly Father, bless this day that You have given us. And Bless all Your children as they go about their daily lives. We humbly ask to be guided by Your son’s teachings and in all our endeavors. Protect those we have sent into harm’s way and their families. We ask for these things in Your son’s name Jesus Christ, Amen.”

Rep. Booher moved that Reps. Brandenburg and Garfield be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5814, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009 to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Spade moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Spade 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.

Rep. Meekhof moved that Rep. Acciavatti be excused from the balance of today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5814, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009 to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 12, following line 3, by inserting:

“Sec. 200. (1) From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.

(2) The department shall obtain proof from all family independence program recipients that they are legal United States citizens or are otherwise legally residing in this country before approving cash assistance. In all instances in which the department becomes aware that a person that is residing in this country illegally has either obtained or applied for public assistance, the department shall refer the matter to an appropriate law enforcement authority for further action.”

The motion was seconded and the amendment was not adopted, a majority of the members serving not voting therefor. The question being on the passage of the bill,

Rep. Shaffer moved to amend the bill as follows:

1. Amend page 33, following line 22, by inserting:

“Sec. 287. (1) From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, a searchable database of all expenditures made by the department since October 1, 2007. At a minimum, the database shall allow private citizens to query the expenditure database to gain information on department expenditures within a specific expenditure category, that are related to any specific contract, or that are made to any specific vendor.

(2) The database shall produce accurate, detailed expenditure reports based on the query request of the private citizen. The private citizen making the query shall have the ability to choose the data elements to be included in the final expenditure report. Available data elements shall include all the data elements contained in the Michigan Administrative Information Network (MAIN) accounting system that are used to classify an expenditure.

(3) From the money appropriated in part 1, the department shall expend no more than \$25,000.00 to develop and post the database.”

The motion was seconded and the amendment was not adopted, a majority of the members serving not voting therefor. The question being on the passage of the bill,

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 10, line 25, by striking out “368,246,800” and inserting “277,112,800” and adjusting the subtotals, totals, and section 201 accordingly.

The motion was seconded and the amendment was not adopted, a majority of the members serving not voting therefor. The question being on the passage of the bill,

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 89, following line 2, by inserting:

“Sec. 692. The department shall obtain proof from all family independence program recipients that they are legal United States citizens or are otherwise legally residing in this country before approving cash assistance. In all instances in which the department becomes aware that a person that is residing in this country illegally has either obtained or applied for public assistance, the department shall refer the matter to an appropriate law enforcement authority for further action.”

The motion was seconded and the amendment was not adopted, a majority of the members serving not 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. 305

Yeas—58

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

Nays—49

Agema	Hansen	Meltzer	Proos
Amos	Hildenbrand	Moolenaar	Robertson
Ball	Hoogendyk	Moore	Rocca
Booher	Horn	Moss	Schuitmaker
Calley	Huizenga	Nitz	Shaffer
Casperson	Hune	Nofs	Sheen
Caswell	Jones, Rick	Opsommer	Stahl
Caul	Knollenberg	Palmer	Stakoe
DeRoche	LaJoy	Palsrok	Steil
Elsenheimer	Law, David	Pastor	Walker
Emmons	Marleau	Pavlov	Ward
Gaffney	Meekhof	Pearce	Wenke
Green			

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 make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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.

Reps. Shaffer and Calley, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I could not support HB 5814, the Department of Human Services budget, because my colleagues and I offered several amendments that were flatly ignored. We were not allowed to properly introduce our amendments, nor were we allowed to debate the merits of the bill in its current form. The Constitutional rights of the people were ignored today as their elected representatives were not able to register their thoughts on behalf of their constituents.”

Rep. Rocca, 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:

Unfortunately, once again, a substitute version of the legislation was provided to members of the House of Representatives only moments before the record roll call vote for final passage was taken, giving the members of this body inadequate time to review the content of this spending bill. While I may, in fact, support many of the items contained in the human services budget, I find it difficult to agree to spend more than \$4.6 billion of the taxpayers’ money without first being allowed to review how those billions will be spent.”

Second Reading of Bills

House Bill No. 4412, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding chapter 21A.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Hansen moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Melton moved to amend the bill as follows:

1. Amend page 1, line 1, after "**CHAPTER 21A**" by striking out the balance of the bill and inserting:

"CREDIT-BASED INSURANCE SCORING FOR PERSONAL INSURANCE

SEC. 2151. AS USED IN THIS CHAPTER:

(A) "**INSURANCE SCORE**" MEANS A NUMBER, RATING, CLASSIFICATION, OR COMPARATIVE GROUPING OF RISKS THAT IS BASED IN WHOLE OR IN PART ON CREDIT INFORMATION, A CREDIT SCORE, OR ON ITEMS OF INFORMATION INCLUDED IN A CREDIT REPORT MAINTAINED BY A CONSUMER REPORTING AGENCY THAT AN INSURER USES FOR THE PURPOSES OF PREDICTING THE FUTURE LOSS EXPOSURE OF AN INDIVIDUAL APPLICANT OR INSURED, FOR CLASSIFYING RISK, OR FOR SETTING THE PREMIUM CHARGED AN INDIVIDUAL APPLICANT OR INSURED.

(B) "**PERSONAL INSURANCE**" MEANS POLICIES UNDERWRITTEN ON AN INDIVIDUAL OR GROUP BASIS FOR PERSONAL, FAMILY, OR HOUSEHOLD USE, SUBJECT TO CHAPTER 21, 24, OR 26, AND INCLUDES PRIVATE PASSENGER AUTOMOBILE, HOMEOWNERS, MOTORCYCLE, BOAT, PERSONAL WATERCRAFT, SNOWMOBILE, RECREATIONAL VEHICLE, MOBILE HOMEOWNERS, AND ALL OTHER NONCOMMERCIAL VEHICULAR AND NONCOMMERCIAL DWELLING FIRE INSURANCE POLICIES.

SEC. 2153. THIS CHAPTER APPLIES ONLY TO PERSONAL INSURANCE. IF ANY PROVISION OF THIS CHAPTER IS FOUND TO BE INCONSISTENT WITH A PROVISION OF CHAPTER 21, 24, OR 26, THIS CHAPTER CONTROLS WITH RESPECT TO THE USE OF INSURANCE SCORES IN THE RATING OR UNDERWRITING OF PERSONAL INSURANCE.

SEC. 2155. (1) FOR NEW OR RENEWAL POLICIES EFFECTIVE ON AND AFTER OCTOBER 1, 2008, AN INSURER IN THE CONDUCT OF ITS BUSINESS OR ACTIVITIES SHALL NOT USE AN INSURANCE SCORE AS A RATING FACTOR.

(2) FOR NEW AND RENEWAL POLICIES EFFECTIVE ON AND AFTER OCTOBER 1, 2008, AN INSURER IN THE CONDUCT OF ITS BUSINESS OR ACTIVITIES SHALL NOT USE AN INSURANCE SCORE AS A BASIS TO REFUSE TO INSURE, REFUSE TO CONTINUE TO INSURE, OR LIMIT COVERAGE AVAILABLE.

SEC. 2157. (1) FOR NEW AND RENEWAL POLICIES EFFECTIVE ON OR AFTER OCTOBER 1, 2008, AN INSURER SHALL ADJUST BASE RATES AS FOLLOWS:

(A) CALCULATE THE SUM OF EARNED PREMIUM AT CURRENT RATE LEVEL FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2007.

(B) CALCULATE THE SUM OF EARNED PREMIUM AT CURRENT RATE LEVEL WITH ALL INSURANCE SCORE DISCOUNTS ELIMINATED FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2007.

(C) REDUCE BASE RATES BY THE FACTOR CREATED FROM THE DIFFERENCE OF THE NUMBER 1 AND THE RATIO OF THE AMOUNT OF SUBDIVISION (A) TO THE AMOUNT OF SUBDIVISION (B).

(2) THE INSURER SHALL FILE WITH THE COMMISSIONER A CERTIFICATION THAT IT HAS MADE THE BASE RATE ADJUSTMENT AND DOCUMENTATION DESCRIBING THE CALCULATION OF THE BASE RATES ADJUSTMENT. THE INSURER SHALL FILE THE CERTIFICATE AND DOCUMENTATION NOT LATER THAN AUGUST 1, 2008.

SEC. 2159. IF AN INSURER FAILS TO MAKE THE FILING REQUIRED UNDER SECTION 2157, THEN THE INSURER IN ANY PROCEEDING TO DETERMINE THE VALIDITY OF A PERSONAL INSURANCE RATE FILING SHALL BE SUBJECT TO THE PRESUMPTION THAT THE RATE FILING DOES NOT CONFORM TO RATE STANDARDS UNDER THIS CHAPTER OR CHAPTER 21, 24, OR 26."

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

Rep. Melton 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. 4412, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

The bill was read a third time.
The question being on the passage of the bill,

Rep. Hildenbrand moved to amend the bill as follows:

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

“Enacting section 2. This amendment does not take effect unless House Bill 5565 of the 94th Legislature is enacted into law.”.

The motion was seconded and the amendment was not adopted, a majority of the members serving not 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. 306

Yeas—57

Accavitti	Coulouris	Jackson	Miller
Angerer	Cushingberry	Johnson	Polidori
Bauer	Dean	Jones, Robert	Sak
Bennett	Dillon	Lahti	Scott
Bieda	Donigan	Law, Kathleen	Sheltrown
Brown	Ebli	Leland	Simpson
Byrnes	Espinoza	Lemmons	Smith, Alma
Byrum	Farrah	Lindberg	Spade
Casperson	Gillard	Mayer	Tobocman
Cheeks	Gonzales	McDowell	Vagnozzi
Clack	Hammel	Meadows	Valentine
Clemente	Hammon	Meisner	Warren
Condino	Hood	Melton	Wojno
Constan	Hopgood	Meltzer	Young
Corriveau			

Nays—49

Agema	Hansen	Meekhof	Proos
Amos	Hildenbrand	Moolenaar	Robertson
Ball	Hoogendyk	Moore	Rocca
Booher	Horn	Moss	Schuitmaker
Calley	Huizenga	Nitz	Shaffer
Caswell	Hune	Nofs	Sheen
Caul	Jones, Rick	Opsommer	Stahl
DeRoche	Knollenberg	Palmer	Stakoe
Elsenheimer	LaJoy	Palsrok	Steil
Emmons	Law, David	Pastor	Walker
Gaffney	LeBlanc	Pavlov	Ward
Green	Marleau	Pearce	Wenke
Griffin			

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.

Rep. Knollenberg, 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:

I have concerns with HB4412. If we support this bill the vast majority of Michigan residents will see their premiums sky rocket.

Insurance scoring is a tool that rewards individuals and families for their low risk behavior. These are the facts: the better credit that individuals and families have, the less likely that they will make claims on their insurance.

It makes sense that fewer claims should be rewarded through lower premiums. I reiterate that if we support this bill the vast majority of Michigan residents will see their premiums go up.”

Rep. Agema, 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:

This bill will increase the rates for most and subsidize rates for those that are at a higher risk. Presently rates can be reduced but can't be raised via this scoring. This will cause rates to sky rocket.”

House Bill No. 5900, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending the title and section 23 (MCL 780.773), the title as amended by 1988 PA 22 and section 23 as amended by 1988 PA 21, and by adding section 12a.

(The bill was read a third time and postponed temporarily on April 16, see House Journal No. 34, p. 743.)

The question being on the passage of the bill,

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 19, after “**WHO**” by striking out the balance of the sentence and inserting “**HAS BEEN EMPLOYED FOR AT LEAST 12 MONTHS BY THE EMPLOYER WITH RESPECT TO WHOM LEAVE IS REQUESTED AND HAS AT LEAST 1,250 HOURS OF SERVICE WITH SUCH EMPLOYER DURING THE PREVIOUS 12-MONTH PERIOD.**”.

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

The question being on the passage of the bill,

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, following line 7, by inserting:

“(7) **AN EMPLOYER MAY LIMIT THE LEAVE PROVIDED UNDER THIS ACT IF THE EMPLOYEE’S LEAVE WOULD CREATE AN UNDUE HARDSHIP TO THE EMPLOYER’S BUSINESS.**” and renumbering the remaining subsections.

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

The question being on the passage of the bill,

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 10, after “**(B)**” by striking out the balance of the subdivision and inserting “**A COPY OF THE NOTICE SENT TO THE VICTIM BY THE PROSECUTING ATTORNEY UNDER SECTION 6.**”.

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

The question being on the passage of the bill,

Rep. Caswell moved to substitute (H-2) the bill.

The motion was seconded.

The question being on the adoption of the substitute (H-2) offered by Rep. Caswell,

Rep. Caswell demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Caswell,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 307

Yeas—49

Agema
Amos

Hansen
Hildenbrand

Moolenaar
Moore

Robertson
Rocca

Ball	Hoogendyk	Moss	Schuitmaker
Booher	Horn	Nitz	Scott
Calley	Huizenga	Nofs	Shaffer
Casperson	Hune	Opsommer	Sheen
Caswell	Jones, Rick	Palmer	Stahl
Caul	Knollenberg	Palsrok	Stakoe
DeRoche	LaJoy	Pastor	Steil
Elsenheimer	Marleau	Pavlov	Walker
Emmons	Meekhof	Pearce	Ward
Gaffney	Meltzer	Proos	Wenke
Green			

Nays—58

Accavitti	Cushingberry	Johnson	Miller
Angerer	Dean	Jones, Robert	Polidori
Bauer	Dillon	Lahti	Sak
Bennett	Donigan	Law, David	Sheltrown
Bieda	Ebli	Law, Kathleen	Simpson
Brown	Espinoza	LeBlanc	Smith, Alma
Byrnes	Farrah	Leland	Smith, Virgil
Byrum	Gillard	Lemmons	Spade
Cheeks	Gonzales	Lindberg	Tobocman
Clack	Griffin	Mayes	Vagnozzi
Clemente	Hammel	McDowell	Valentine
Condino	Hammon	Meadows	Warren
Constan	Hood	Meisner	Wojno
Corriveau	Hopgood	Melton	Young
Coulouris	Jackson		

In The Chair: Sak

The question being on the passage of the bill,

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 8, by striking out all of subsection (7) and renumbering the remaining subsections.

The motion was seconded and the amendment was 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. 308**Yeas—98**

Accavitti	Dillon	LaJoy	Pearce
Agema	Donigan	Law, David	Polidori
Amos	Ebli	Law, Kathleen	Proos
Angerer	Elsenheimer	LeBlanc	Robertson
Ball	Emmons	Leland	Rocca
Bauer	Espinoza	Lemmons	Sak
Bennett	Farrah	Lindberg	Schuitmaker
Bieda	Gaffney	Marleau	Scott
Booher	Gillard	Mayes	Shaffer
Brown	Gonzales	McDowell	Sheen
Byrnes	Green	Meadows	Sheltrown

Byrum	Griffin	Meekhof	Simpson
Casperson	Hammel	Meisner	Smith, Alma
Caswell	Hammon	Melton	Smith, Virgil
Caul	Hansen	Meltzer	Spade
Cheeks	Hildenbrand	Miller	Stahl
Clack	Hood	Moolenaar	Stakoe
Clemente	Hopgood	Moore	Tobocman
Condino	Horn	Moss	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Jackson	Opsommer	Walker
Coulouris	Johnson	Palsrok	Warren
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche	Lahti		

Nays—9

Calley	Knollenberg	Palmer	Ward
Hoogendyk	Nitz	Steil	Wenke
Hune			

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.

Rep. Calley, 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:

Current law already grants the right of victims of crimes to attend court proceedings. This law is redundant.”

Second Reading of Bills

House Bill No. 5901, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending section 82 (MCL 780.832), as added by 1988 PA 21, and by adding section 72a.

The bill was read a second time.

Rep. Condino moved to substitute (H-1) the bill.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 15, after “HAS” by striking out “25” and inserting “50”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 1, line 2, after “LEAVE” by inserting a comma and “REDUCED BY ANY LEAVE TAKEN UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993, 29 USC 2601 TO 2654,”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 9, after “**WHO**” by striking out the balance of the sentence and inserting “**HAS BEEN EMPLOYED FOR AT LEAST 12 MONTHS BY THE EMPLOYER WITH RESPECT TO WHOM LEAVE IS REQUESTED AND HAS AT LEAST 1,250 HOURS OF SERVICE WITH SUCH EMPLOYER DURING THE PREVIOUS 12-MONTH PERIOD.**”.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, following line 24, by inserting:

“(7) **AN EMPLOYER MAY LIMIT THE LEAVE PROVIDED UNDER THIS ACT IF THE EMPLOYEE’S LEAVE WOULD CREATE AN UNDUE HARDSHIP TO THE EMPLOYER’S BUSINESS.**” and renumbering the remaining subsections.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 1, line 10, after “**(B)**” by striking out the balance of the subdivision and inserting “**A COPY OF THE NOTICE SENT TO THE VICTIM BY THE PROSECUTING ATTORNEY UNDER SECTION 66.**”.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 25, by striking out all of subsection (7) and renumbering the remaining subsections. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Corriveau 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. 5901, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending section 82 (MCL 780.832), as added by 1988 PA 21, and by adding section 72a.

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

Roll Call No. 309

Yeas—71

Accavitti	Dillon	Lahti	Robertson
Angerer	Donigan	LaJoy	Rocca
Bauer	Ebli	Law, David	Sak
Bennett	Elsenheimer	Law, Kathleen	Schuitmaker
Bieda	Espinoza	LeBlanc	Scott
Brown	Farrah	Leland	Sheltrown
Byrnes	Gaffney	Lemmons	Simpson
Byrum	Gillard	Lindberg	Smith, Alma
Casperson	Gonzales	Mayes	Smith, Virgil
Cheeks	Griffin	McDowell	Spade
Clack	Hammel	Meadows	Stakoe
Clemente	Hammon	Meisner	Tobocman
Condino	Hood	Melton	Vagnozzi
Constan	Hopgood	Miller	Valentine
Corriveau	Horn	Moore	Warren
Coulouris	Jackson	Nofs	Wojno
Cushingberry	Johnson	Palsrok	Young
Dean	Jones, Robert	Polidori	

Nays—36

Agema	Green	Meekhof	Pearce
Amos	Hansen	Meltzer	Proos
Ball	Hildenbrand	Moolenaar	Shaffer
Booher	Hoogendyk	Moss	Sheen
Calley	Huizenga	Nitz	Stahl
Caswell	Hune	Opsommer	Steil
Caul	Jones, Rick	Palmer	Walker
DeRoche	Knollenberg	Pastor	Ward
Emmons	Marleau	Pavlov	Wenke

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.

Rep. Caswell, 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:

According to the sponsor of 5900 limiting this bill to only firms with 50 or more employees is unconstitutional but is ok for 25 employees or more. This makes no sense.”

Rep. Calley, 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:

Current law already grants the right of victims of crimes to attend court proceedings. This law is redundant.”

Second Reading of Bills**House Bill No. 5902, entitled**

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending section 50 (MCL 780.800), as added by 1988 PA 22, and by adding section 40a.

The bill was read a second time.

Rep. Condino moved to substitute (H-1) the bill.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 16, after “**HAS**” by striking out “**25**” and inserting “**50**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 1, line 2, after “**LEAVE**” by inserting a comma and “**REDUCED BY ANY LEAVE TAKEN UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993, 29 USC 2601 TO 2654,**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 10, after “**WHO**” by striking out the balance of the sentence and inserting “**HAS BEEN EMPLOYED FOR AT LEAST 12 MONTHS BY THE EMPLOYER WITH RESPECT TO WHOM LEAVE IS**”

REQUESTED AND HAS AT LEAST 1,250 HOURS OF SERVICE WITH SUCH EMPLOYER DURING THE PREVIOUS 12-MONTH PERIOD.”.

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

Rep. Schuitmaker moved to amend the bill as follows:

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

“(7) AN EMPLOYER MAY LIMIT THE LEAVE PROVIDED UNDER THIS ACT IF THE EMPLOYEE’S LEAVE WOULD CREATE AN UNDUE HARDSHIP TO THE EMPLOYER’S BUSINESS.” and renumbering the remaining subsections.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 1, after **“(B)”** by striking out the balance of the subdivision and inserting **“A COPY OF THE NOTICE SENT TO THE VICTIM BY THE PROSECUTING ATTORNEY UNDER SECTION 36.”**.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 26, by striking out all of subsection (7) and renumbering the remaining subsections.

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

Rep. Coulouris 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. 5902, entitled

A bill to amend 1985 PA 87, entitled “William Van Regenmorter crime victim’s rights act,” by amending section 50 (MCL 780.800), as added by 1988 PA 22, and by adding section 40a.

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

Roll Call No. 310

Yeas—72

Accavitti	Dean	Jones, Robert	Polidori
Amos	Dillon	Lahti	Robertson
Angerer	Donigan	LaJoy	Sak
Bauer	Ebli	Law, David	Schuitmaker
Bennett	Elsenheimer	Law, Kathleen	Scott
Bieda	Espinoza	LeBlanc	Sheltrown
Brown	Farrah	Leland	Simpson
Byrnes	Gaffney	Lemmons	Smith, Alma
Byrum	Gillard	Lindberg	Smith, Virgil
Casperson	Gonzales	Mayes	Spade
Cheeks	Griffin	McDowell	Stakoe
Clack	Hammel	Meadows	Tobocman
Clemente	Hammon	Meisner	Vagnozzi
Condino	Hood	Melton	Valentine
Constan	Hopgood	Miller	Walker
Corriveau	Horn	Moore	Warren
Coulouris	Jackson	Nofs	Wojno
Cushingberry	Johnson	Palsrok	Young

Nays—35

Agema	Hansen	Meltzer	Proos
Ball	Hildenbrand	Moolenaar	Rocca
Booher	Hoogendyk	Moss	Shaffer
Calley	Huizenga	Nitz	Sheen
Caswell	Hune	Opsommer	Stahl
Caul	Jones, Rick	Palmer	Steil
DeRoche	Knollenberg	Pastor	Ward
Emmons	Marleau	Pavlov	Wenke
Green	Meekhof	Pearce	

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.

Rep. Caswell, 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:

According to the sponsor of 5900 limiting this bill to only firms with 50 or more employees is unconstitutional but is ok for 25 employees or more. This makes no sense.”

Rep. Calley, 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:

Current law already grants the right of victims of crimes to attend court proceedings. This law is redundant.”

Second Reading of Bills

House Bill No. 4625, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 1991 PA 11.

The bill was read a second time.

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 5, following line 10, by inserting:

“(E) OFFER OR PROVIDE SAME-SEX PARTNER BENEFITS TO ANY EMPLOYEE.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Bauer 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. 4625, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 1991 PA 11.

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

Roll Call No. 311

Yeas—59

Accavitti	Cushingberry	Jackson	Nofs
Angerer	Dean	Johnson	Polidori
Bauer	Dillon	Jones, Robert	Sak
Bennett	Donigan	Lahti	Scott
Bieda	Ebli	Law, Kathleen	Simpson
Brown	Espinoza	LeBlanc	Smith, Alma
Byrnes	Farrah	Leland	Smith, Virgil
Byrum	Gaffney	Lemmons	Spade
Cheeks	Gillard	Lindberg	Tobocman
Clack	Gonzales	Mayes	Vagnozzi
Clemente	Griffin	McDowell	Valentine
Condino	Hammel	Meadows	Warren
Constan	Hammon	Meisner	Wojno
Corriveau	Hood	Melton	Young
Coulouris	Hopgood	Miller	

Nays—48

Agema	Hansen	Meltzer	Robertson
Amos	Hildenbrand	Moolenaar	Rocca
Ball	Hoogendyk	Moore	Schuitmaker
Booher	Horn	Moss	Shaffer
Calley	Huizenga	Nitz	Sheen
Casperson	Hune	Opsommer	Sheltrown
Caswell	Jones, Rick	Palmer	Stahl
Caul	Knollenberg	Palsrok	Stakoe
DeRoche	LaJoy	Pastor	Steil
Elsenheimer	Law, David	Pavlov	Walker
Emmons	Marleau	Pearce	Ward
Green	Meekhof	Proos	Wenke

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.

Rep. Calley, 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:

This bill is NOT equal pay for equal work. It sets up a government system for setting wages in the private sector according to very subjective standards."

Rep. Agema, 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:

This bill is not equal work for equal pay. It’s comparable worth which brings up a host of government intrusion into the work force, Near socialistic!!!”

Second Reading of Bills

House Bill No. 4626, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 556 (MCL 750.556).

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

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

Rep. Byrnes 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. 4626, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 556 (MCL 750.556).

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

Roll Call No. 312

Yeas—59

Accavitti	Cushingberry	Jackson	Nofs
Angerer	Dean	Johnson	Polidori
Bauer	Dillon	Jones, Robert	Sak
Bennett	Donigan	Lahti	Scott
Bieda	Ebli	Law, Kathleen	Simpson
Brown	Espinoza	LeBlanc	Smith, Alma
Byrnes	Farrah	Leland	Smith, Virgil
Byrum	Gaffney	Lemmons	Spade
Cheeks	Gillard	Lindberg	Tobocman
Clack	Gonzales	Mayes	Vagnozzi
Clemente	Griffin	McDowell	Valentine
Condino	Hammel	Meadows	Warren
Constan	Hammon	Meisner	Wojno
Corriveau	Hood	Melton	Young
Coulouris	Hopgood	Miller	

Nays—48

Agema	Hansen	Meltzer	Robertson
Amos	Hildenbrand	Moolenaar	Rocca
Ball	Hoogendyk	Moore	Schuitmaker
Booher	Horn	Moss	Shaffer
Calley	Huizenga	Nitz	Sheen
Casperson	Hune	Opsommer	Sheltrown
Caswell	Jones, Rick	Palmer	Stahl
Caul	Knollenberg	Palsrok	Stakoe
DeRoche	LaJoy	Pastor	Steil
Elsenheimer	Law, David	Pavlov	Walker

Emmons
Green

Marleau
Meekhof

Pearce
Proos

Ward
Wenke

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.

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

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 334** out of numerical order.

Reps. Sak, Angerer, Accavitti, Ball, Bauer, Bieda, Booher, Brown, Clack, Constan, Dean, Griffin, Hammel, Hammon, Hopgood, Rick Jones, LeBlanc, Lemmons, Meadows, Opsommer, Polidori, Proos, Shaffer, Sheltroun, Simpson, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Warren, Cushingberry, Robert Jones, Lahti and Marleau offered the following resolution:

House Resolution No. 334.

A resolution to recognize the Michigan Home Health Association as they celebrate their 20th annual Legislative Day on Tuesday, April 22, 2008.

Whereas, Established in 1981, the Michigan Home Health Association (MHHA) is the state trade association for providers of home health care. The association provides a unified voice for all components of home health care and promotes high standards of patient care in the delivery of home health services. The association advocates for the role of home care services within the total health care system. Its membership consists of over 300 certified, private duty, hospice, home medical equipment and pharmacy-infusion organizations; and

Whereas, The Michigan Home Health Association is the unified voice, principal resource and advocate for the success of its member organizations as best practice providers of home health, hospice, private duty, home medical equipment and pharmacy-infusion services for the residents of Michigan; and

Whereas, The Michigan Home Health Association has been active in educating federal and state legislators and regulatory bodies on the merits of home care and how it can be used most efficiently. Home care is an important component of the health care continuum; and, as society ages and health care costs increase, home care will continue to offer cost effective alternatives to institutional care; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the Michigan Home Health Association as they celebrate their 20th annual Legislative Day on Tuesday, April 22, 2008.

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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, April 18:

House Bill Nos.	5995	5996	5997	5998	5999	6000	6001
Senate Bill Nos.	1256	1257	1258	1259	1260	1261	1262 1263
Senate Joint Resolution	M						

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 21, for her approval of the following bills:

Enrolled House Bill No. 5344 at 1:48 p.m.

Enrolled House Bill No. 5531 at 1:50 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, April 22:
Senate Bill Nos. 1198 1217

Reports of Standing Committees

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported
House Bill No. 5936, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 720, 723, 724, 728, and 734 (MCL 339.720, 339.723, 339.724, 339.728, and 339.734), sections 720 and 724 as added by 1997 PA 10, sections 723 and 734 as amended by 2005 PA 278, and section 728 as amended by 2000 PA 334, and by adding sections 727a and 734a.

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. Coulouris, Clemente, Mayes, Virgil Smith, Robertson, Green and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Tuesday, April 22, 2008

Present: Reps. Coulouris, Johnson, Clemente, Mayes, Virgil Smith, Robertson, Green and Calley

Absent: Rep. Moore

Excused: Rep. Moore

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 5697, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker and Horn

Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 5969, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 5b, 8, and 9 (MCL 28.422, 28.425b, 28.428, and 28.429), section 2 as amended by 2004 PA 101, section 5b as amended by 2006 PA 350, section 8 as amended by 2000 PA 381, and section 9 as amended by 2004 PA 100.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker and Horn
Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
House Bill No. 5983, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker and Horn
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, April 22, 2008

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker, Stakoe and Horn

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 5681, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 106, 141, 143, 404, 405, 407, 413, 421, 441, 446, 451, 505, 521, 525, 548, 611, 901, 1103, and 1144 (MCL 450.2106, 450.2141, 450.2143, 450.2404, 450.2405, 450.2407, 450.2413, 450.2421, 450.2441, 450.2446, 450.2451, 450.2505, 450.2521, 450.2525, 450.2548, 450.2611, 450.2901, 450.3103, and 450.3144), section 611 as amended and sections 1103 and 1144 as added by 1984 PA 209, and by adding section 404a.

With the recommendation that the substitute (H-4) 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. Meisner, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 22, 2008

Present: Reps. Meisner, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Absent: Rep. Robert Jones

Excused: Rep. Robert Jones

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 17, 2008

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

Absent: Reps. Bennett, Byrnes, Espinoza, Jackson and Brandenburg

Excused: Reps. Bennett, Byrnes, Espinoza, Jackson and Brandenburg

Messages from the Senate**House Bill No. 5463, entitled**

A bill to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending section 410 (MCL 208.1410).

The Senate has concurred in the House amendments to the Senate substitute (S-4).

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

Senate Bill No. 1198, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 417 and 441 (MCL 208.1417 and 208.1441).

The Senate has passed the bill.

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

Senate Bill No. 1217, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Intergovernmental, Urban and Regional Affairs from further consideration of **House Bill No. 5507**.

Rep. Hoogendyk

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 776**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 1049**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 1059**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4613**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 5664**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 5650**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4651**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4652**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4653**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4654**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4655**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4656**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4660**.

Rep. Tobocman

Messages from the Governor

Date: April 18, 2008
Time: 3:16 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5865 (Public Act No. 100, I.E.), being

An act to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts,” (MCL 125.2001 to 125.2094) by adding chapter 8B.

(Filed with the Secretary of State April 18, 2008, at 4:15 p.m.)

Date: April 18, 2008
Time: 4:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5866 (Public Act No. 101, I.E.), being

An act to amend 2005 PA 226, entitled “An act to create the Michigan tobacco settlement finance authority; to create funds and accounts; to provide for the sale by this state and the purchase by the authority of all or a portion of tobacco settlement assets; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority, the state administrative board, the state treasurer, and certain other state officials and state employees; and to make appropriations and prescribe certain conditions for the appropriations,” by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

(Filed with the Secretary of State April 18, 2008, at 4:17 p.m.)

Date: April 18, 2008
Time: 4:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5867 (Public Act No. 102, I.E.), being

An act to amend 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,”

by amending section 8 (MCL 12.258), as added by 2005 PA 232.

(Filed with the Secretary of State April 18, 2008, at 4:19 p.m.)

Introduction of Bills

Reps. Lindberg, Kathleen Law, Hopgood, McDowell, Sheltrown, Byrnes, Lahti, Robert Jones, Gillard, Valentine, Alma Smith, Brown, Vagnozzi, Cushingberry, Miller, Meisner, Simpson, Spade, Gonzales, Polidori, Leland, Donigan, Condino, Espinoza, Hammon, Bieda, Lemmons, Dean, Meadows, Warren, Hood, Gaffney, Hune, Hammel, Hansen, Nofs and Bauer introduced

House Bill No. 6002, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 1901 and 1903 (MCL 324.1901 and 324.1903), section 1901 as added by 1995 PA 60 and section 1903 as amended by 2002 PA 52, and by adding sections 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, and 1928.

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

Rep. Sak introduced

House Bill No. 6003, entitled

A bill to amend 1917 PA 350, entitled “An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act,” by amending the title and sections 1, 2, 3, 4, and 5 (MCL 445.401, 445.402, 445.403, 445.404, and 445.405), sections 1, 2, 3, 4, and 5 as amended by 2006 PA 675.

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

Reps. Wenke, Rick Jones, Huizenga, Horn, Hammel, Wojno, Caswell and Agema introduced

House Bill No. 6004, entitled

A bill to amend 1948 (2nd Ex Sess) PA 5, entitled “An act to provide for the payment of compensation, mileage and expenses of the members of the legislature,” by amending section 4 (MCL 4.514).

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

Reps. Lindberg, Kathleen Law, Hopgood, McDowell, Sheltroun, Byrnes, Lahti, Robert Jones, Gillard, Valentine, Alma Smith, Brown, Vagnozzi, Miller, Cushingberry, Meisner, Simpson, Spade, Gonzales, Polidori, Leland, Donigan, Condino, Espinoza, Hammon, Bieda, Lemmons, Dean, Meadows, Warren, Hood, Gaffney, Hune, Hammel, Hansen, Nofs and Bauer introduced

House Joint Resolution ZZ, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 35 of article IX, to increase the allowable annual expenditures from the Michigan natural resources trust fund and to authorize the issuance of bonds and notes for the purposes of the Michigan natural resources trust fund.

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

Rep. LeBlanc moved that the House adjourn.
The motion prevailed, the time being 5:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 23, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives