

No. 59
STATE OF MICHIGAN
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House of Representatives
94th Legislature
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House Chamber, Lansing, Tuesday, June 17, 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—excused	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—excused
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—excused	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—excused
Corriveau—present	Jackson—present	Palmer—excused	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. Aldo Vagnozzi, from the 37th District, offered the following invocation:

“Dear God Who serves us all please spread Your faith and wisdom to this House of Representatives. With Your guidance and support we can do a better job of serving our constituents especially during the present times. Teach us to work together for the common good. Lead us to working across the aisles to achieve good government policies. Thank You for Your past support and future favors. Amen.”

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

Rep. Tobocman moved that Reps. Lemmons and Scott be excused from today’s session. The motion prevailed.

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, June 12:

Senate Bill Nos. 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, June 12, for her approval of the following bill:

Enrolled House Bill No. 5221 at 4:06 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 13:

House Bill Nos. 6236 6237 6238 6239

The Clerk announced the enrollment printing and presentation to the Governor on Monday, June 16, for her approval of the following bill:

Enrolled House Bill No. 5383 at 9:44 a.m.

The Clerk announced that the following Senate bills had been received on Tuesday, June 17:

Senate Bill Nos. 370 371

Reports of Standing Committees

The Committee on Government Operations, by Rep. Wojno, Chair, reported

House Bill No. 4210, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 166.

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. Wojno, Kathleen Law, Condino, Constan, Polidori, Hoogendyk and Hune

Nays: None

The Committee on Government Operations, by Rep. Wojno, Chair, reported

House Bill No. 4211, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 229.

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. Wojno, Kathleen Law, Condino, Constan, Polidori, Hoogendyk and Hune

Nays: None

The Committee on Government Operations, by Rep. Wojno, Chair, reported

House Bill No. 4480, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 264 (MCL 18.1264), as added by 1988 PA 504.

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. Wojno, Kathleen Law, Condino, Constan, Polidori and Hune

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wojno, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, June 17, 2008

Present: Reps. Wojno, Kathleen Law, Condino, Constan, Polidori, Hoogendyk and Hune

Absent: Reps. Young and David Law

Excused: Reps. Young and David Law

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

House Bill No. 5741, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2004 PA 587, and by adding sections 40115 and 40115a.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Simpson, Casperson and Stakoe

Nays: Rep. Walker

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

Senate Bill No. 572, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2004 PA 587.

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 Stakoe
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, June 17, 2008

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

Absent: Rep. Horn

Excused: Rep. Horn

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 5270, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2506 (MCL 339.2506), as amended by 1988 PA 463.

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. Farrah, Meadows, Wojno, Warren, Palsrok and Gaffney

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6173, entitled

A bill to amend 1963 PA 213, entitled "An act to provide a procedure for bonding contractors for public buildings and public works of governmental units; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 3, 6, 7, and 8 (MCL 129.201, 129.202, 129.203, 129.206, 129.207, and 129.208), section 1 as amended by 1982 PA 11.

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. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau and Gaffney

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6174, entitled

A bill to amend 1998 PA 57, entitled "An act to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts," by amending sections 1, 2, 3, 4, and 5 (MCL 125.1591, 125.1592, 125.1593, 125.1594, and 125.1595).

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. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau and Gaffney

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6175, entitled

A bill to amend 1980 PA 524, entitled "An act to provide for the terms of certain construction contracts with certain public agencies; to regulate the payment and retainage of payments on construction contracts with certain public agencies; and to provide for the resolution of certain disputes," by amending sections 1, 2, 3, and 4 (MCL 125.1561, 125.1562, 125.1563, and 125.1564); and to repeal acts and parts of acts.

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. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau and Gaffney

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6176, entitled

A bill to amend 1931 PA 259, entitled "An act to protect the people of the state from imposition and fraud in the building construction industry and to provide penalties for the violation of this act," by amending the title and sections 1, 2, and 3 (MCL 570.151, 570.152, and 570.153) and by adding section 4.

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. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau and Gaffney

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrah, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, June 17, 2008

Present: Reps. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau, Palsrok and Gaffney

Absent: Reps. Scott and Ward

Excused: Reps. Scott and Ward

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 17, 2008

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

Absent: Reps. Johnson, Valentine and Meltzer

Excused: Reps. Johnson, Valentine and Meltzer

Messages from the Senate

House Bill No. 4817, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 675d and 742 (MCL 257.675d and 257.742), section 675d as amended by 2004 PA 49 and section 742 as amended by 2000 PA 268.

The Senate has amended the bill as follows:

1. Amend page 3, line 16, after "section." by inserting "**THE PROGRAM SHALL CONTAIN AT LEAST 40 HOURS OF INSTRUCTION IN PARKING ENFORCEMENT CONDUCTED BY THAT LAW ENFORCEMENT AGENCY OR THE LAW ENFORCEMENT AGENCY FOR THAT LOCAL UNIT OF GOVERNMENT OR, IF THE LOCAL UNIT OF GOVERNMENT DOES NOT HAVE A LAW ENFORCEMENT AGENCY, BY THE COUNTY SHERIFF.**".

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

House Bill No. 5804, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has appointed Senators George, Brown and Clark-Coleman as conferees to join with Representatives Vagnozzi, Jackson and Amos.

The bill was referred to the Conference Committee.

House Bill No. 5807, entitled

A bill to make appropriations for the department of agriculture 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 require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has appointed Senators Brown, Jelinek and Scott as conferees to join with Representatives Espinoza, McDowell and Hansen.

The bill was referred to the Conference Committee.

House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The Senate has appointed Senators Hardiman, Cropsey and Anderson as conferees to join with Representatives Gonzales, Gillard and Agema.

The bill was referred to the Conference Committee.

House Bill No. 5809, entitled

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has appointed Senators Jansen, George and Scott as conferees to join with Representatives Hammel, Bauer and Brandenburg.

The bill was referred to the Conference Committee.

House Bill No. 5810, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The Senate has appointed Senators Cropsey, Kahn and Brater as conferees to join with Representatives Gillard, Byrnes and Moss.

The bill was referred to the Conference Committee.

House Bill No. 5811, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has appointed Senators Garcia, Cropsey and Barcia as conferees to join with Representatives LeBlanc, Espinoza and Nofs.

The bill was referred to the Conference Committee.

House Bill No. 5812, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The Senate has appointed Senators Garcia, Cropsey and Barcia as conferees to join with Representatives LeBlanc, Espinoza and Nofs.

The bill was referred to the Conference Committee.

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 Senate has appointed Senators Hardiman, Kahn and Scott as conferees to join with Representatives Spade, Cushingberry and Shaffer.

The bill was referred to the Conference Committee.

House Bill No. 5816, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has appointed Senators Pappageorge, Jansen and Anderson as conferees to join with Representatives Cheeks, Cushingberry and Hansen.

The bill was referred to the Conference Committee.

Notices

June 10, 2008

Ms. Carol Morey Vivent
Secretary of the Senate
P.O. Box 30036
Lansing, MI 48909

Mr. Rich Brown
Clerk of the House
P.O. Box 30014
Lansing, MI 48909

Dear Secretary Vivent and Clerk Brown:

Pursuant to Public Act 224 of 2004 (MCL600.108), we are making the following reappointments to the State Drug Treatment Court Advisory Committee:

Ms. Kathleen Brickley, 707 Academy Street, Kalamazoo, MI 49007 (an individual representing defense attorneys, who has worked for at least two years with drug or alcohol treatment courts).

Mr. Andrew Konwiak, Eastwood Clinics, 28000 DeQuindre, Warren, MI 48092 (an individual representing drug treatment providers who has worked at least two years with a drug or alcohol treatment court).

Ms. Beth Morrison, HAVEN, 2550 Telegraph, Ste. 111, Bloomfield Hills, MI 48302 (an individual representing domestic violence provider programs that receive funding from the state domestic violence prevention and treatment board).

The following new appointments are also being made:

Ms. Pamela Davis, 378 Brookfield Dr., Westland, MI 48185 (a court administrator who has worked for at least two years with a drug or alcohol treatment court).

Mr. Kevin Jones, 544 Donald Ave., Clawson, MI 48017 (a probation officer who has worked at least two years for a drug or alcohol treatment court).

Sincerely,

Michael D. Bishop
Senate Majority Leader

Andy Dillon
Speaker of the House

Messages from the Governor

The following message from the Governor was received June 13, 2008 and read:

EXECUTIVE ORDER No. 2008 – 4

DECLARATION OF STATE OF EMERGENCY MASON COUNTY

WHEREAS, on June 12, 2008, a series of severe storms moved across northwestern lower Michigan, spawning at least one tornado and to buildings, trees, electrical power lines, roads, culverts, a municipal sewer system, and public drains;

WHEREAS, the county of Mason suffered widespread and severe damage from the winds and heavy rains of this storm including damage to residences, as well as to numerous roads, culverts, a sewer system, and public drains;

WHEREAS, the excessive rainfall has washed out portions of major roads within and around the county of Mason, including shoulder to shoulder portions of US-31, thus rendering such roads impassible and impeding emergency service access;

WHEREAS, numerous other roads and streets within the county of Mason remain impassable due to the flooding damage and impede emergency service access;

WHEREAS, the county suffered significant damage to the county's public drains and the city of Ludington's sewer system which poses a significant threat to public health and safety;

WHEREAS, the county of Mason has declared a local state of emergency for the county and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in Mason County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in Mason County, and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, Two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 13, 2008 and read:

**EXECUTIVE ORDER
No. 2008 – 5**

**DECLARATION OF STATE OF EMERGENCY
CITY OF LANSING, INGHAM COUNTY**

WHEREAS, a series of severe storms moved through central and southern Lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, the city of Lansing suffered widespread and severe damage from these storms including damage to over 175 residential and commercial structures and public buildings;

WHEREAS, numerous streets, alleys, and sidewalks within the city of Lansing remain partially blocked by fallen trees and other storm debris resulting in impeded emergency access;

WHEREAS, the remaining storm debris within the city of Lansing poses a significant threat to public health and safety, and creates potentially hazardous traffic conditions;

WHEREAS, the city of Lansing has declared a local state of emergency and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the city of Lansing has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in the city of Lansing in Ingham County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the city of Lansing, Ingham County, and may call upon all state departments to utilize available resources to assist in the emergency area focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, Two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 13, 2008 and read:

**EXECUTIVE ORDER
No. 2008 – 6**

**DECLARATION OF STATE OF EMERGENCY
ALLEGAN COUNTY**

WHEREAS, a series of severe storms moved through central and southern lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, the county of Allegan suffered widespread and severe damage from the winds and heavy rains of this storm including damage to over 41 residences, as well as to roads, a number of culverts, and public drains;

WHEREAS, numerous streets and roads within the county of Allegan remain impassable due to the flooding damage and impede emergency service access;

WHEREAS, remaining storm debris within public drains poses a threat to public health and safety;

WHEREAS, residences along Lakeshore Drive have been evacuated and remain inaccessible due to roadway erosion and broken gas lines;

WHEREAS, the county of Allegan has declared a local state of emergency for the city of Fenton and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the county of Allegan has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

- 1. A State of Emergency is declared in Allegan County.
- 2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in Allegan County, and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.
- 3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, Two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 13, 2008 and read:

**EXECUTIVE ORDER
No. 2008 – 7**

**DECLARATION OF STATE OF EMERGENCY
EATON COUNTY**

WHEREAS, a series of severe storms moved through central and southern lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, numerous structures within the county of Eaton suffered property damage from this storm including damage to 49 residences and one commercial building;

WHEREAS, 13 roads within the county remain closed due to flooding and washouts and impede emergency service access;

WHEREAS, remaining storm debris poses a significant threat to public health and safety;

WHEREAS, the county of Eaton has declared a local state of emergency for the county of Eaton and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the county of Eaton has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

- 1. A State of Emergency is declared in Eaton County.
- 2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in Eaton County, and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.
- 3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, Two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 13, 2008 and read:

EXECUTIVE ORDER
No. 2008 – 8

DECLARATION OF STATE OF EMERGENCY
CITY OF SAGINAW, SAGINAW COUNTY

WHEREAS, a series of severe storms moved through central and southern lower Michigan between June 6, 2008 and June 8, 2008, causing significant damage to buildings, trees, electrical power lines, roads, and drains;

WHEREAS, the city of Saginaw suffered widespread and severe damage from this storm including damage to over 16 residences and two commercial buildings;

WHEREAS, 500 blocks and approximately 600 sites within the city of Saginaw including streets, alleys, and sidewalks have been blocked by as many as 1000 fallen trees and other storm debris resulting in greatly impeded emergency access;

WHEREAS, remaining storm debris within the city of Saginaw poses a significant threat to public health and safety;

WHEREAS, the county of Saginaw has declared a local state of emergency for the city of Saginaw and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the county of Saginaw has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in the city of Saginaw in Saginaw County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the city of Saginaw, Saginaw County, and may call upon all state departments to utilize available resources to assist in the emergency area focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than July 10, 2008.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of June in the year of our Lord, Two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 16, 2008 and read:

EXECUTIVE ORDER
No. 2008 – 9

ACTIVATION OF NATIONAL GUARD TO CITIES OF LANSING AND SAGINAW AND TO COUNTIES
OF ALLEGAN, EATON, AND MASON

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor;

WHEREAS, under Section 12 of Article V of the Michigan Constitution of 1963, the Governor is the Commander-in-Chief of the state armed forces and may call them out to execute the laws;

WHEREAS, Section 151 of the Michigan Military Act, 1967 PA 150, MCL 32.551, authorizes the Governor to order to active state service any members of the organized militia for service in aid of civil authority in times of public danger, disaster, crisis, catastrophe, or other public emergency within this state;

WHEREAS, due to recent severe storms that caused significant damage to buildings, trees, electrical power lines, roads, and drains in the cities of Lansing and Saginaw and in the counties of Allegan, Eaton, and Mason, the Governor, by Executive Orders 2008-4, 2008-5, 2008-6, 2008-7, and 2008-8, declared states of emergency in such jurisdictions;

WHEREAS, by Executive Orders 2008-4, 2008-5, 2008-6, 2008-7, and 2008-8, the Governor ordered the Emergency Management and Homeland Security Division of the Department of State Police to coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the cities of Lansing and Saginaw and the counties of Allegan, Eaton, and Mason, and to call upon all state departments to utilize available resources to assist in the emergency area focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan;

WHEREAS, in order to protect and preserve public health and safety, additional assistance appears necessary, including supplementation of local debris removal capabilities in situations where debris poses a direct threat to the public health and safety;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order:

1. The Adjutant General is directed to order to active state service, units and individuals of the Michigan National Guard which in his discretion he deems appropriate to meet general mission assignments as determined by the Emergency Management and Homeland Security Division of the Department of State Police.

2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts, including such units and individuals of the Michigan National Guard which may be activated to state service, to assist the cities of Lansing and Saginaw and the counties of Allegan, Eaton, and Mason, and other units of government affected pursuant to the Michigan Emergency Management Plan.

3. The Michigan National Guard is activated until such time as determined by the Adjutant General after consultation with the Emergency Management and Homeland Security Division of the Department of State Police.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of June in the year of our Lord, Two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 16, 2008 and read:

**EXECUTIVE ORDER
No. 2008 – 10**

AMENDMENT OF EXECUTIVE ORDER 2008-4

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor;

WHEREAS, on June 13, 2008, a state of emergency was declared for the county of Mason by Executive Order 2008-4;

WHEREAS, it is necessary and desirable to amend the first paragraph of Executive Order 2008-4;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that the first paragraph of Executive Order 2008-4 be amended to read as follows:

“WHEREAS, on June 12, 2008, a series of severe storms moved across northwestern lower Michigan, spawning at least one tornado and causing significant damage to buildings, trees, electrical power lines, roads, culverts, a municipal sewer system, and public drains;”.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received June 16, 2008 and read:

**EXECUTIVE ORDER
No. 2008 – 11**

AMENDMENT OF EXECUTIVE ORDER 2008-6

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the state of Michigan in the Governor;

WHEREAS, on June 13, 2008, a state of emergency was declared for the county of Allegan by Executive Order 2008-6;

WHEREAS, it is necessary and desirable to amend the sixth paragraph of Executive Order 2008-6;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that the sixth paragraph of Executive Order 2008-6 be amended to read as follows:

“WHEREAS, the county of Allegan has declared a local state of emergency and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;”.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 16th day of June in the year of our Lord, two thousand and eight.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

Date: June 16, 2008

Time: 7:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5476 (Public Act No. 162, I.E.), being

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 435 (MCL 206.435), as added by 2007 PA 133.

(Filed with the Secretary of State June 16, 2008, at 9:23 a.m.)

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing
Administrative Rules

June 12, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:10 p.m. this date, administrative rule (08-06-06) for the Department of Labor and Economic Growth “Residential Builders and Maintenance & Alteration Contractors”.

These rules take effect 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

Introduction of Bills

Reps. Stakoe, Moolenaar, Opsommer, Ball, Nitz, Pearce, Shaffer, Emmons, Rocca, Acciavatti, Stahl, Hune, Gaffney, Steil, LaJoy, David Law, Casperson, Walker, Brandenburg, Hoogendyk, Horn, Hildenbrand, Meekhof, Agema, Calley and Robertson introduced

House Bill No. 6240, entitled

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

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

Reps. Walker, Palsrok, LaJoy and Booher introduced

House Bill No. 6241, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 56a (MCL 211.56a), as amended by 1998 PA 435, and by adding section 20.

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

Reps. Ball, Opsommer, Shaffer, Sheltroun and Dean introduced

House Bill No. 6242, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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

Reps. Amos, Opsommer, Nitz, Farrah, Griffin, Meadows, Meekhof, Pastor, Sheltroun, Acciavatti, Pavlov, Stakoe, Nofs, LaJoy, Virgil Smith, Johnson, Meisner, Coulouris, Spade, Young, Booher and Hansen introduced

House Bill No. 6243, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2008 PA 22.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Rep. Schuitmaker introduced

House Bill No. 6244, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 451 (MCL 18.1451), as amended by 1999 PA 8.

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

Reps. Wenke, Huizenga, Hammel and Rick Jones introduced

House Bill No. 6245, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 22c, 50b, and 75 (MCL 38.1022c, 38.1050b, and 38.1075), section 22c as amended by 2002 PA 97 and sections 50b and 75 as amended by 1998 PA 501.

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

Announcements by the Clerk

June 13, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Prisoner Food Services, Department of Corrections, June 2008.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 310.

A resolution to memorialize the United States Congress to enact the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act, the Youth PROMISE Act.

(For text of resolution, see House Journal No. 28, p. 568.)

(The resolution was reported by the Committee on Judiciary on June 11, consideration of which, under the rules, was postponed until June 12.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

Senate Bill No. 412, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261d.

The bill was read a second time.

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

Senate Bill No. 412, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261d.

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

Roll Call No. 528

Yeas—99

Accavitti	Dean	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Shaffer
Bieda	Gaffney	Lindberg	Sheltrown
Booher	Gillard	Marleau	Simpson
Brown	Gonzales	Mayes	Smith, Alma
Byrnes	Green	McDowell	Smith, Virgil
Byrum	Griffin	Meadows	Spade
Calley	Hammel	Meekhof	Stahl
Casperson	Hammon	Meisner	Stakoe
Caswell	Hansen	Melton	Steil
Caul	Hildenbrand	Miller	Tobocman
Cheeks	Hood	Moolenaar	Vagnozzi
Clack	Hopgood	Moore	Valentine
Clemente	Horn	Moss	Walker

Condino	Huizenga	Nitz	Warren
Constan	Hune	Opsommer	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry	Jones, Rick	Pavlov	

Nays—4

DeRoche	Hoogendyk	Meltzer	Sheen
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In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 6150, entitled

A bill to create the Michigan supply chain management development commission; to prescribe the powers and duties of the commission; and to provide for certain regulations.

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

The substitute (H-1) 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. 6150, entitled

A bill to create the Michigan supply chain management development commission; to prescribe the powers and duties of the commission; and to provide for certain regulations.

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

Roll Call No. 529

Yeas—95

Accavitti	Dean	Jones, Rick	Pearce
Acciavatti	DeRoche	Jones, Robert	Polidori

Amos	Dillon	Lahti	Proos
Angerer	Donigan	LaJoy	Robertson
Ball	Ebli	Law, David	Rocca
Bauer	Elsenheimer	Law, Kathleen	Sak
Bennett	Emmons	LeBlanc	Schuitmaker
Bieda	Espinoza	Leland	Shaffer
Booher	Farrah	Lindberg	Sheltrown
Brown	Gaffney	Marleau	Simpson
Byrnes	Gillard	Mayes	Smith, Alma
Byrum	Gonzales	McDowell	Smith, Virgil
Calley	Green	Meadows	Spade
Casperson	Griffin	Meekhof	Stahl
Caswell	Hammel	Meisner	Steil
Caul	Hammon	Melton	Tobocman
Cheeks	Hansen	Miller	Vagnozzi
Clack	Hildenbrand	Moolenaar	Valentine
Clemente	Hood	Moore	Walker
Condino	Hopgood	Moss	Warren
Constan	Horn	Nitz	Wenke
Corriveau	Huizenga	Opsommer	Wojno
Coulouris	Jackson	Palsrok	Young
Cushingberry	Johnson	Pavlov	

Nays—8

Agema	Hune	Meltzer	Sheen
Hoogendyk	Knollenberg	Pastor	Stakoe

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. Sheen, 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:
We do not need any more bureaucracy or many commissions to impede commerce.”

Second Reading of Bills

House Bill No. 5127, entitled

A bill to prohibit certain units of government from establishing the ownership of real property as a qualification for public office; and to provide remedies.

The bill was read a second time.

Rep. Rocca 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. 5127, entitled

A bill to prohibit certain units of government from establishing the ownership of real property as a qualification for public office; and to provide remedies.

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

Roll Call No. 530

Yeas—103

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

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.

Second Reading of Bills

Senate Bill No. 867, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and

collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2, 9, and 15 (MCL 207.552, 207.559, and 207.565), sections 2 and 9 as amended by 2007 PA 146 and section 15 as amended by 1996 PA 513.

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

The substitute (H-1) 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

Senate Bill No. 867, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending sections 2, 9, and 15 (MCL 207.552, 207.559, and 207.565), sections 2 and 9 as amended by 2007 PA 146 and section 15 as amended by 1996 PA 513.

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

Roll Call No. 531

Yeas—103

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

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.

Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, June 13, 2008

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have vetoed **Enrolled House Bill 4749**, as provided under Section 33 of Article IV of the Michigan Constitution of 1963, for essentially the same reasons I vetoed similar legislation two years ago (see attached).

Although marginally different from the legislation previously sent to my desk, my concerns with Enrolled House Bill 4749 remain the same. When involved in a crash, an unhelmeted motorcyclist is 40 percent more likely to suffer a fatal head injury and 15 percent more likely to suffer a nonfatal injury than a helmeted motorcyclist. Lifetime, long-term care costs for treatment of head injuries have been shown to be between \$4 million and \$9 million – far more than the \$20,000 personal injury protection required under this bill. Costs to treat these injuries would be borne by all Michigan citizens in the form of higher insurance rates.

Helmets save lives and reduce serious injury. For these reasons, I return Enrolled House Bill 4749 without signature.

Respectfully,
Jennifer M. Granholm
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Tobocman moved that consideration of the bill be postponed for the day.
The motion prevailed.

By unanimous consent the House returned to the order of

Second Reading of Bills**House Bill No. 6208, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88d (MCL 125.2088d), as amended by 2008 PA 80.

The bill was read a second time.

Rep. Melton moved to amend the bill as follows:

1. Amend page 9, following line 1, by inserting:

“(H) THE LOAN SHALL BE SUBJECT TO REPAYMENT PROVISIONS. IF THE LOAN IS WITH A QUALIFIED BUSINESS THAT CLOSES DOWN OR RELOCATES OUTSIDE OF MICHIGAN ANYTIME WITHIN 3 YEARS AFTER THE TERM OF THE LOAN, THEN THE PROVISIONS OF THE LOAN SHALL ALSO INCLUDE, AT A MINIMUM, IMMEDIATE REPAYMENT OF ANY OUTSTANDING PRINCIPAL, PAYMENT OF A DEFAULT INTEREST RATE, AND REPAYMENT OF ANY AMOUNTS FORGIVEN.

(I) IN DETERMINING WHETHER TO FORGIVE ALL OR A PORTION OF A LOAN TO A QUALIFIED BUSINESS, THE FUND SHALL CONSIDER THE NET ECONOMIC IMPACT OF THE PROJECT ON THE STATE’S ECONOMY. THE LOAN AGREEMENT BETWEEN THE FUND AND THE QUALIFIED BUSINESS SHALL CLEARLY ENUMERATE THE TERMS, CONDITIONS AND REQUIREMENTS UNDER WHICH ALL

OR A PORTION OF THE LOAN MAY BE FORGIVEN, INCLUDING BUT NOT LIMITED TO JOB CREATION AND INVESTMENT IN THIS STATE.”.

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

Rep. Melton moved to amend the bill as follows:

1. Amend page 8, line 27, by striking out all of subdivision (G) and relettering the remaining subdivisions.

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

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.

Rep. Tobocman moved that Rep. Accavitti be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6208, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88d (MCL 125.2088d), as amended by 2008 PA 80.

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

Roll Call No. 532

Yeas—76

Amos	Corriveau	Hopgood	Palsrok
Angerer	Coulouris	Horn	Polidori
Ball	Cushingberry	Huizenga	Proos
Bauer	Dean	Jackson	Rocca
Bennett	Dillon	Johnson	Sak
Bieda	Donigan	Jones, Rick	Schuitmaker
Booher	Ebli	Jones, Robert	Shaffer
Brown	Emmons	Lahti	Sheltrown
Byrnes	Espinoza	Law, David	Simpson
Byrum	Farrah	Law, Kathleen	Smith, Alma
Calley	Gaffney	LeBlanc	Smith, Virgil
Casperson	Gillard	Leland	Spade
Caswell	Gonzales	Lindberg	Tobocman
Caul	Griffin	Mayes	Vagnozzi
Cheeks	Hammel	McDowell	Valentine
Clack	Hammon	Meadows	Warren
Clemente	Hansen	Meisner	Wenke
Condino	Hildenbrand	Moore	Wojno
Constan	Hood	Opsommer	Young

Nays—26

Acciavatti	Knollenberg	Moolenaar	Robertson
Agema	LaJoy	Moss	Sheen
DeRoche	Marleau	Nitz	Stahl

Elsenheimer
Green
Hoogendyk
Hune

Meekhof
Melton
Meltzer
Miller

Pastor
Pavlov
Pearce

Stakoe
Steil
Walker

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. Meekhof, 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 can not vote for this expenditure without the appropriate oversight for the funds that will be expended.”

Rep. Elsenheimer, 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 cannot support this bill without some kind of control over the money being appropriated to MEDC, especially given that MEDC is apparently unwilling to return the money if the projects they are involved in do not come to fruition. The legislature is not in the business of providing gift cards. We should be taking our oversight responsibilities more seriously than this legislation allows.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Brown, Angerer, Byrnes, Casperson, Clack, Condino, Constan, Dean, Donigan, Espinoza, Gonzales, Hammel, Hammon, Hansen, Hopgood, Horn, Robert Jones, Lahti, LeBlanc, Leland, Marleau, Mayes, Meadows, Meisner, Moss, Nitz, Pastor, Polidori, Rocca, Sak, Sheltroun, Simpson, Spade, Tobocman, Vagnozzi and Valentine offered the following resolution:

House Resolution No. 393.

A resolution to encourage the U.S. Army Corps of Engineers to work cooperatively with property owners along the Great Lakes in their efforts to reasonably groom and maintain their beaches.

Whereas, The Great Lakes are in the midst of a prolonged period of extreme low water levels the likes of which have not been experienced in nearly 80 years. Because of these low water levels, nuisance and invasive plants and algae have encroached on beaches, making access to the water difficult and reducing some beaches to traps for pollutants and breeding grounds for pests; and

Whereas, The Michigan Legislature and the Michigan Department of Environmental Quality (DEQ) have worked with lakefront property owners to balance regulations designed to protect the environment with the rights of property owners to maintain their property in a safe and neat condition. Michigan has developed reasonable standards for beach maintenance that protect valuable fish and wildlife habitat but allow property owners to relieve nuisance conditions, eliminate threats to their health, and preserve their enjoyment of the lakes; and

Whereas, Michigan’s efforts to ease regulatory hurdles and help lakefront property owners during these exceptional conditions have not been matched by the U.S. Army Corps of Engineers. Property owners attempting to groom and maintain their beaches as they have for decades continue to encounter inflexible and unsympathetic federal regulators. The Army Corps’ unwillingness to exercise discretion and work with lakefront property owners in a timely manner places unnecessary burdens on residents simply trying to maintain their property; now, therefore, be it

Resolved by the House of Representatives, That we encourage the U.S. Army Corps of Engineers to work cooperatively with property owners along the Great Lakes in their efforts to reasonably groom and maintain their beaches; and be it further

Resolved, That copies of this resolution be transmitted to the commander of the U.S. Army Corps of Engineers Detroit District, the Chief of Engineers of the U.S. Army, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reports of Standing Committees

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5294, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending the title and sections 1 and 2 (MCL 445.1631 and 445.1632).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5295, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 3 and 4 (MCL 445.1633 and 445.1634).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5296, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending section 5 (MCL 445.1635) and by adding section 4a.

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5297, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 6 and 7 (MCL 445.1636 and 445.1637).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5299, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," (MCL 445.1631 to 445.1645) by adding sections 7c and 7d.

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5300, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 8 and 9 (MCL 445.1638 and 445.1639).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5301, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 10 and 11 (MCL 445.1640 and 445.1641).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5302, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 12 and 13 (MCL 445.1642 and 445.1643).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5303, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending sections 14 and 15 (MCL 445.1644 and 445.1645).

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5307, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 22 (MCL 445.1672), as amended by 2002 PA 391, and by adding section 24a.

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 5308, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending section 24 (MCL 493.74), as amended by 2002 PA 392, and by adding section 24a.

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. Coulouris, Clemente, Mayes, Virgil Smith and Calley

Nays: Rep. Robertson

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, June 17, 2008

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

Absent: Rep. Johnson

Excused: Rep. Johnson

The Committee on Education, by Rep. Melton, Chair, reported

Senate Bill No. 836, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166b (MCL 388.1766b), as amended by 1999 PA 119.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Schuitmaker, Knollenberg, Opsommer and Pavlov

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 17, 2008

Present: Reps. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Schuitmaker, Knollenberg, Opsommer and Pavlov

Absent: Rep. Scott

Messages from the Senate

Senate Bill No. 370, 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, 2a, 5f, 12, and 12b (MCL 28.422, 28.422a, 28.425f, 28.432, and 28.432b), section 2 as amended by 2004 PA 101, section 2a as added by 2000 PA 381, section 5f as amended by 2002 PA 719, section 12 as amended by 2006 PA 75, and section 12b as added by 1982 PA 182; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 371, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 224b and 231a (MCL 750.224b and 750.231a), section 231a as amended by 2002 PA 82; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Rep. Green moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 18, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives