

No. 27
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Tuesday, March 20, 2007.

1:30 p.m.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—excused	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—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—e/d/s	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—excused
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. Kevin A. Elsenheimer, from the 105th District, offered the following invocation:

“We thank You for this day, dear Lord, and the many blessings that You have bestowed upon us. We thank You for our lives, for our families, for our friendships and many gifts that You have bestowed on us. For this House, we pray that You will grant us wisdom, insight and direction to carry out Your word. In Jesus’ name we pray, Amen.”

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

Third Reading of Bills

House Bill No. 4228, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 11b to chapter VI.

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

Roll Call No. 51

Yeas—105

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

Nays—1

Garfield

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.

House Bill No. 4421, entitled

A bill to amend 1988 PA 265, entitled "District library financing act," by amending section 8 (MCL 397.288), as amended by 1989 PA 25.

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

Roll Call No. 52

Yeas—106

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. LeBlanc, Tobocman, Wojno, Vagnozzi, Accavitti, Sak, Byrnes, Gonzales, Lemmons, McDowell, Pearce, Polidori, Proos, Rocca, Sheltrown, Alma Smith, Spade, Bauer, Constan, Coulouris, Hammel, Hammon, Robert Jones and Melton were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81129, 81131, and 81133 (MCL 324.81129, 324.81131, and 324.81133), section 81129 as amended by 2003 PA 111, section 81131 as added by 1995 PA 58, and section 81133 as amended by 1998 PA 86.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tourism, Outdoor Recreation and Natural Resources,

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

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 6, line 7, after "**DEPARTMENT.**" by inserting "**AN ORDINANCE ADOPTED UNDER THIS SUBSECTION SHALL INCLUDE A SUNSET PROVISION REPEALING THE ORDINANCE 3 YEARS AFTER ITS ADOPTION. THE ORDINANCE MAY BE AMENDED TO REMOVE THE SUNSET PROVISION IF BOTH OF THE FOLLOWING REQUIREMENTS ARE MET:**

(A) THE AMENDMENT IS ADOPTED NOT LESS THAN 2 YEARS AFTER THE ADOPTION OF THE INITIAL ORDINANCE.

(B) BEFORE ADOPTING THE AMENDMENT, THE COUNTY BOARD OF COMMISSIONERS CONSIDERS TRAFFIC SAFETY, ENVIRONMENTAL IMPACTS, ROADWAY DAMAGE, AND ECONOMIC BENEFITS ASSOCIATED WITH THE OPERATION OF ORVS UNDER THIS SUBSECTION."

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

Rep. Tobocman moved to reconsider the vote by which the House adopted the amendment.

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

The question being on the adoption of the amendment offered by Rep. Sheltroun,

Rep. Sheltroun withdrew the amendment.

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

House Bill No. 4407, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40111b.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4304, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 636 (MCL 257.636).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see House Journal No. 26, p. 322),

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

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

The motion prevailed.

The House returned to the consideration of

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81129, 81131, and 81133 (MCL 324.81129, 324.81131, and 324.81133), section 81129 as amended by 2003 PA 111, section 81131 as added by 1995 PA 58, and section 81133 as amended by 1998 PA 86.

(The bill was considered earlier today, see today's Journal, p. 330.)

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 7, line 11, after "**TO**" by striking out "**SUBSECTION (2) OR (4)**" and inserting "**THIS SECTION**".

2. Amend page 7, line 16, after "**CANADA.**" by inserting "**A PERSON UNDER 12 YEARS OF AGE SHALL NOT OPERATE AN ORV PURSUANT TO THIS SECTION.**".

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

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 5, line 18, after “SECTION” by striking out “81131(7)” and inserting “81131(8)”.
2. Amend page 6, line 1, after “(2)” by inserting “SUBJECT TO SUBSECTION (6),”.
3. Amend page 6, line 15, after “(4)” by inserting “SUBJECT TO SUBSECTION (6),”.
4. Amend page 6, line 19, after “(5)” by inserting “SUBJECT TO SUBSECTION (6),”.
5. Amend page 7, following line 2, by inserting:

“(6) SUBSECTIONS (2) TO (5) AND AN ORDINANCE ADOPTED UNDER SUBSECTION (2) OR (4) DO NOT APPLY BEGINNING 5 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.” and renumbering the remaining subsections.

6. Amend page 9, line 3, after “SUBSECTION” by striking out “(11)” and inserting “(12)”.
7. Amend page 9, line 4, after “SUBSECTION” by striking out “(11)” and inserting “(12)”.
8. Amend page 10, line 15, after “SECTION” by striking out “81131(6)” and inserting “81131(7)”.

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

Rep. Sheltroun 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. Hood entered the House Chambers.

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

House Bill No. 4323, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 81129, 81131, and 81133 (MCL 324.81129, 324.81131, and 324.81133), section 81129 as amended by 2003 PA 111, section 81131 as added by 1995 PA 58, and section 81133 as amended by 1998 PA 86.

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

Roll Call No. 53

Yeas—107

Accavitti	DeRoche	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gonzales	Mayer	Sheen
Brandenburg	Green	McDowell	Sheltroun
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Miller	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Cheeks	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Walker
Condino	Hune	Nofs	Ward

Constan	Jackson	Opsommer	Warren
Corriveau	Johnson	Palmer	Wenke
Coulouris	Jones, Rick	Palsrok	Wojno
Cushingberry	Jones, Robert	Pastor	Young
Dean	Knollenberg	Pavlov	

Nays—0

In The Chair: Sak

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 81115, 81129, 81131, 81133, and 81147 (MCL 324.81115, 324.81129, 324.81131, 324.81133, and 324.81147), sections 81115 and 81129 as amended by 2003 PA 111, section 81131 as added by 1995 PA 58, section 81133 as amended by 1998 PA 86, and section 81147 as amended by 2004 PA 587.

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4103, entitled

A bill to require certain credit reporting agencies to place security alerts and security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

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, Johnson, Clemente, Mayes, Virgil Smith, Moore, 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, March 20, 2007

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

Second Reading of Bills

House Bill No. 4103, entitled

A bill to require certain credit reporting agencies to place security alerts and security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Banking and Financial Services,

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

Rep. Caul moved to amend the bill as follows:

1. Amend page 8, line 8, after “theft” by inserting “or if the consumer is 65 years old or older.”.

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

Rep. Coulouris moved to amend the bill as follows:

1. Amend page 2, line 9, after “(1)” by striking out “Subject to subsection (2), a consumer” and inserting “Beginning on the effective date of this act, a consumer who is a victim of identity theft, and beginning March 1, 2009, any other consumer”.

2. Amend page 2, line 20, after “Beginning” by striking out “February” and inserting “March”.

3. Amend page 3, line 24, after “Beginning” by striking out “August 1, 2008” and inserting “February 1, 2009”.

4. Amend page 5, line 25, after “(3)” by striking out “Subject to subsection (4)” and inserting “Beginning on the effective date of this act”.

5. Amend page 5, line 26, after “consumer” by inserting “who was a victim of identity theft, and beginning March 1, 2009, a consumer reporting agency shall accept a request from any other consumer,”.

6. Amend page 6, line 8, after “Beginning” by striking out “February” and inserting “March”.

7. Amend page 9, line 1, after “the” by striking out “buyer” and inserting “consumer”.

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

Rep. Mayes moved to amend the bill as follows:

1. Amend page 6, line 17, after “subsection.” by inserting “The request shall include the consumer’s unique personal identification number or password or shall include the correct answer to a security question selected by the consumer with the agreement of the consumer reporting agency before the consumer’s request under this subsection.”.

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

Rep. Ebli moved to amend the bill as follows:

1. Amend page 8, line 8, after “theft” by inserting “or if the consumer is 60 years old or older”.

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

Rep. Angerer 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. Shaffer moved that Rep. Caswell be excused temporarily from today’s session.

The motion prevailed.

Rep. Tobocman moved that Rep. Hood 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. 4103, entitled

A bill to require certain credit reporting agencies to place security alerts and security freezes on certain consumer credit information; to authorize and limit fees; 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. 54

Yeas—105

Accavitti
Acciavatti
Agema

Donigan
Ebli
Elsenheimer

LaJoy
Law, David
Law, Kathleen

Pearce
Polidori
Proos

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

Nays—0

In The Chair: Sak

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

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

A bill to require certain consumer reporting agencies to place security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos.	4467	4468	4469	4470	4471	4472	4473	4474	4475	4476
Senate Bill Nos.	351	352	353	354	355	356				

Reports of Standing Committees

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

House Bill No. 4100, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2006 PA 622.

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, Polidori, Young, Hoogendyk and Hune

Nays: None

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

House Resolution No. 16.

A resolution to recognize the Vietnamese Freedom and Heritage Flag as the flag of the Vietnamese-American community.

(For text of resolution, see House Journal No. 11, p. 118.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Condino, Polidori, Young, Hoogendyk 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, March 20, 2007

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

Absent: Reps. Constan and David Law

Excused: Reps. Constan and David Law

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

House Bill No. 4091, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b.

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, Scott and Steil

Nays: Reps. Moolenaar, Emmons, Hoogendyk, Hildenbrand, Knollenberg and Opsommer

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

House Bill No. 4162, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1310b. 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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori and Scott

Nays: Reps. Moolenaar, Emmons, Hoogendyk, Steil, Hildenbrand, Knollenberg and Opsommer

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

House Resolution No. 40.

A resolution to memorialize the Congress of the United States to invest in Head Start and quality child care. (For text of resolution, see House Journal No. 24, p. 277.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

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

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, March 20, 2007

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

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

House Bill No. 4315, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," by amending section 2 (MCL 15.302).

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. Corriveau, Clemente, Bieda, Donigan, Hammon, Ward and Wenke

Nays: None

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

House Bill No. 4472, entitled

A bill to amend 1968 PA 318, entitled "An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts," by amending section 2 (MCL 15.302).

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. Corriveau, Clemente, Bieda, Donigan, Hammon, Ward and Wenke

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Tuesday, March 20, 2007

Present: Reps. Corriveau, Clemente, Bieda, Donigan, Hammon, Ward and Wenke

Absent: Rep. Pearce

Excused: Rep. Pearce

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Monday, March 19, 2007

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

Absent: Reps. Meisner, Virgil Smith, David Law and Elsenheimer

Excused: Reps. Meisner, Virgil Smith, David Law and Elsenheimer

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, March 20, 2007

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, March 20, 2007

Present: Reps. Robert Jones, Constan, Hoppood, Lemmons, Warren, Ball, Sheen and Stahl

Absent: Rep. Green

Excused: Rep. Green

Notices

March 13, 2007

Mr. Richard J. Brown Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

In accordance with MCLA 38.1026 of the Legislative Retirement System statute, I hereby appoint the following persons to the Legislative Retirement System Board of Trustees for the following terms:

Retiree Member: Burton Leland, 4-year term, 2007-2010

Retiree Member: Gary Randall, 4-year term, 2007-2010

House Member: Alma Wheeler Smith, 2-year term, 2007-2008

House Member: David Robertson, 2-year term, 2007-2008

Thank you for your kind attention to this matter.

Sincerely,
Andy Dillon
Speaker of the House of Representatives

Communications from State Officers

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

March 12, 2007

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Reports	Adrian Training School	2007C0212012 & 2007C0212014	CS460200931
Renewal	Adrian Training School		CS460200931

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

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

Sincerely,
Marianne Udow
Director

The communication was referred to the Clerk.

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

Notice of Filing Administrative Rules

March 16, 2007

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 & Economic Growth, State Office of Administrative Hearings and Rules filed at 1:27 P.M. this date, administrative rule (07-03-04) for the Department of Treasury, State Treasurer, Entitled "*General Sales and Use Tax Rules*" 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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hune, Booher, Brandenburg, Gonzales, Green, Hildenbrand, Horn, Pastor, Shaffer, Sheen and Stahl offered the following resolution:

House Resolution No. 51.

A resolution to urge the Michigan Department of Agriculture to amend the mandatory electronic animal identification program to be a voluntary program for Michigan's agricultural businesses.

Whereas, In response to concerns about how best to deal with problems regarding animal health, the Michigan Department of Agriculture has been working with farm and cattle organizations to develop a means of tracking the history of all herd animals. With the movement that takes place within the industry, having a reliable record of where an animal has been raised and fed is a tool to allay undue fears and to isolate any health problems quickly; and

Whereas, On January 9, 2006, the Michigan Commission of Agriculture voted unanimously to direct the Michigan Department of Agriculture to develop an implementation plan for a mandatory electronic animal identification program. Under this program, all cattle in our state were to be identified through a radio frequency identification device in place by March 1, 2007; and

Whereas, This program is part of the national identification efforts being worked on by the United States Department of Agriculture as a voluntary program; and

Whereas, Other states across the country have implemented programs in response to information provided by the United States Department of Agriculture; and

Whereas, As of this date, Michigan is the only state that has implemented a mandatory electronic animal identification program; and

Whereas, A mandatory electronic animal identification program will put an undue financial hardship on many agricultural businesses within the state of Michigan; now, therefore be it

Resolved by the House of Representatives, That we urge the Michigan Department of Agriculture to amend its electronic animal identification program to become a voluntary program; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Agriculture and the Michigan Commission of Agriculture.

The resolution was referred to the Committee on Agriculture.

PURSUANT TO ARTICLE XI, SECTION 5 OF THE MICHIGAN CONSTITUTION, THIS RESOLUTION REQUIRES A TWO-THIRDS VOTE OF THE MEMBERS ELECTED AND SERVING.

Reps. Hoogendyk, Garfield, Agema, Calley, Knollenberg, Palmer, Acciavatti, Pavlov, Meltzer, Meekhof, LaJoy, Robertson, Pastor, Brandenburg, Pearce, Wenke, Green, Hildenbrand, Moss, Marleau, Shaffer, Sheen, DeRoche, Elsenheimer, Stakoe, Horn and Opsommer offered the following concurrent resolution:

House Concurrent Resolution No. 7.

A concurrent resolution to reject the proposed increase in rates of compensation recommended by the Civil Service Commission and contained in the Executive Budget for Fiscal Year 2007-2008.

Whereas, Article XI, Section 5 of the *Constitution of the State of Michigan of 1963* provides that the Governor shall transmit increases in rates of compensation to the Legislature as part of the Executive Budget. This section of the Michigan Constitution further provides:

Within 60 calendar days following such transmission, the legislature may, by a two-thirds vote of the members elected to and serving in each house, reject or reduce increases in rates of compensation authorized by the commission. Any reduction ordered by the legislature shall apply uniformly to all classes of employees affected by the increases and shall not adjust pay differentials already established by the civil service commission. The legislature may not reduce rates of compensation below those in effect at the time of the transmission of increases authorized by the commission.

The Governor has transmitted the Executive Budget to the Legislature, and it contains recommendations for increases in rates of compensation by the Civil Service Commission; and

Whereas, According to projections by the House Fiscal Agency, the salary increases for classified state employees called for in the recommendation would amount to \$123.5 million in gross appropriations and \$76.1 million in General Fund/General Purpose money. Total possible economic impact of the increase, including such factors as higher insurance, retirement, and worker's compensation costs, would be \$227 million, with \$147 million General Fund/General Purpose money; and

Whereas, Given the magnitude of the budget difficulties facing Michigan, for both the current fiscal year and the next one, and the challenges facing the people of our state, granting raises seems inappropriate. Clearly, as our economy struggles, increases in rates of compensation would be impossible to justify; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That, pursuant to Article XI, Section 5 of the *Constitution of the State of Michigan of 1963*, we hereby reject the proposed increase in rates of compensation for classified state employees recommended by the Civil Service Commission and contained in the Executive Budget for Fiscal Year 2007-2008; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and the Office of the State Employer.

The concurrent resolution was referred to the Committee on Government Operations.

Introduction of Bills

Rep. Schuitmaker introduced

House Bill No. 4477, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5 and 5e (MCL 722.115 and 722.115e), section 5 as amended by 2006 PA 580 and section 5e as added by 2005 PA 133, and by adding sections 5h and 5i.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. LaJoy introduced

House Bill No. 4478, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 11e and 11f (MCL 247.661e and 247.661f), section 11e as amended by 2006 PA 141 and section 11f as added by 2006 PA 140.

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

Reps. Young, Hammon, Lahti, McDowell and Accavitti introduced

House Bill No. 4479, entitled

A bill to allow inclusionary zoning; to prescribe the powers and duties of certain local agencies and officials; and to provide certain restrictions for dwelling units built within the inclusionary zone.

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

Reps. Miller, Bennett, Kathleen Law and Polidori introduced

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.

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

Reps. Clack, Shaffer, Hammel, Hammon, Meadows, Johnson, Jackson, Constan, Vagnozzi, Cushingberry, Accavitti, Gonzales, Meisner, Kathleen Law, Hopgood, Spade, Polidori, Espinoza, Scott, Dean, Bennett, Lemmons, Ebli, Byrnes, McDowell, Lahti, Valentine, Farrah, Condino, Melton, Virgil Smith, Brown, Angerer, Warren, Garfield, Robert Jones, Griffin, Sheen, Hoogendyk and Cheeks introduced

House Bill No. 4481, entitled

A bill to establish the foster care independence program; to provide certain services for certain youth in foster care due to child abuse or child neglect; and to prescribe the duties of certain state departments.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Clack, Hammon, Cushingberry, Hammel, Constan, Vagnozzi, Jackson, Robert Jones, Sheen, Hoogendyk, Leland and Gonzales introduced

House Bill No. 4482, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d and 57g (MCL 400.57d and 400.57g), section 57d as amended by 2005 PA 323 and section 57g as amended by 2006 PA 468.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Condino, Bieda and Vagnozzi introduced

House Bill No. 4483, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending section 33 (MCL 338.1083), as amended by 2000 PA 411.

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

Reps. Warren, Hammel, Hammon, Coulouris, Alma Smith, Meadows, Robert Jones, Ebli, Valentine, Condino, Donigan and Young introduced

House Bill No. 4484, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11507a, 11539, and 11547 (MCL 324.11507a, 324.11539, and 324.11547), section 11507a as amended by 2004 PA 39 and section 11547 as amended by 1998 PA 466.

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

Reps. Meadows, Hammon, Hammel, Coulouris, Alma Smith, Robert Jones, Ebli, Valentine, Condino, Donigan and Young introduced

House Bill No. 4485, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502, 11503, 11504, 11505, 11506, 11512, 11514, 11527a, 11529, and 11541 (MCL 324.11502, 324.11503, 324.11504, 324.11505, 324.11506, 324.11512, 324.11514, 324.11527a, 324.11529, and 324.11541), section 11502 as amended by 2004 PA 35, sections 11503 and 11506 as amended by 1998 PA 466, section 11504 as amended by 1996 PA 359, section 11512 as amended by 2004 PA 325, section 11514 as amended by 2005 PA 243, section 11527a as added by 2004 PA 42, and sections 11529 and 11541 as amended by 1996 PA 358, and by adding section 11515a.

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

Reps. Ebli, Hammon, Hammel, Coulouris, Alma Smith, Meadows, Robert Jones, Valentine, Condino, Donigan and Young introduced

House Bill No. 4486, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11507a, 11526a, 11533, 11534, 11535, 11536, 11537, 11538, 11539a, and 11547 (MCL 324.11507a, 324.11526a, 324.11533, 324.11534, 324.11535, 324.11536, 324.11537, 324.11538, 324.11539a, and 324.11547), section 11507a as

amended by 2004 PA 39, section 11526a as added by 2004 PA 40, sections 11533 and 11538 as amended by 2004 PA 44, and section 11547 as amended by 1998 PA 466; and to repeal acts and parts of acts.

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

Reps. Rick Jones, LaJoy, Wenke, Stahl, Mayes, Sheltroun, Farrah, Pearce, Elsenheimer and Polidori introduced
House Bill No. 4487, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7m (MCL 211.7m), as added by 1980 PA 142.

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

Reps. Meadows and Proos introduced

House Bill No. 4488, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8316 (MCL 600.8316).

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

Reps. Proos and Meadows introduced

House Bill No. 4489, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 874 (MCL 600.874).

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

Reps. Opsommer, Sheltroun, Stahl, Miller, Palsrok, Hoogendyk, Meekhof, Nitz, LeBlanc, Mayes and Meltzer introduced
House Bill No. 4490, 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 12 and 12b (MCL 28.432 and 28.432b), section 12 as amended by 2006 PA 75 and section 12b as added by 1982 PA 182, and by adding section 9d; and to repeal acts and parts of acts.

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

Reps. Sheltroun, Opsommer, Stahl, Miller, Palsrok, Hoogendyk, Meekhof, Nitz, LeBlanc, Mayes and Meltzer introduced
House Bill No. 4491, 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 bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Cushingberry introduced

House Bill No. 4492, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced

House Bill No. 4493, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced
House Bill No. 4494, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced
House Bill No. 4495, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Rep. Cushingberry introduced
House Bill No. 4496, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Reps. Wenke, Bieda, Alma Smith, Amos, Opsommer and Meltzer introduced

House Bill No. 4497, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40111b.

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

Rep. Virgil Smith introduced
House Bill No. 4498, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.1 to 600.9947) by adding section 569.

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

Rep. Virgil Smith introduced
House Joint Resolution G, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 12a to article VI, to provide for the election of chief circuit judges.

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

Reps. Hoogendyk, Meltzer, Sheen and Caswell introduced
House Joint Resolution H, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12 and 13 of article IV and by adding section 55 to article IV and section 43 to article IX, to limit the legislative session, to reduce salaries and expense allowances of members of the legislature, to reduce compensation of state legislators who have absences from legislative session, to prohibit state-paid retirement and health care for legislators, and to limit spending on the legislative budget.

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

Rep. Pavlov moved that the House adjourn.
The motion prevailed, the time being 4:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 21, at 1:30 p.m.

