

No. 70
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Wednesday, July 18, 2007.

10:00 a.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—present | Mayes—present | Sheen—excused |
| Brandenburg—excused | Gonzales—present | McDowell—present | Sheltrown—present |
| Brown—present | Green—present | Meadows—present | Simpson—present |
| Byrnes—present | Griffin—present | Meekhof—present | Smith, Alma—present |
| Byrum—present | Hammel—present | Meisner—present | Smith, Virgil—present |
| Calley—present | Hammon—present | Melton—present | Spade—present |
| Casperson—present | Hansen—present | Meltzer—present | Stahl—present |
| Caswell—present | Hildenbrand—present | Miller—present | Stakoe—present |
| Caul—present | Hood—present | Moolenaar—present | Steil—present |
| Cheeks—present | Hoogendyk—present | Moore—present | Tobocman—present |
| Clack—present | Hopgood—present | Moss—present | Vagnozzi—present |
| Clemente—present | Horn—present | Nitz—present | Valentine—present |
| Condino—present | Huizenga—present | Nofs—present | Walker—present |
| Constan—present | Hune—present | Opsommer—present | Ward—present |
| Corriveau—present | Jackson—present | Palmer—present | Warren—present |
| Coulouris—present | Johnson—present | Palsrok—present | Wenke—present |
| Cushingberry—present | Jones, Rick—present | Pastor—present | Wojno—present |
| Dean—present | Jones, Robert—present | Pavlov—present | Young—present |
| DeRoche—present | Knollenberg—present | | |

e/d/s = entered during session

Rep. Phillip J. Pavlov, from the 81st District, offered the following invocation:

“Grant all of our national, state, and local leaders the gifts of wisdom, justice, counsel, and fortitude, that they may conduct the affairs of man in accord with the will of God. Grant to all men the gift of respect for lawful authority, justly exercised, that we may live as a united people, one nation under God. May all the governments of the world seek to reconcile power with the needs of society. May they all strive to form bonds of unity between countries, that we may one day share a united world of prosperity and peace. Amen.”

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

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

Rep. Hansen moved that Rep. Marleau be excused temporarily from today’s session.
The motion prevailed.

Rep. Gillard moved that Reps. Dillon and Meisner be excused temporarily from today’s session.
The motion prevailed.

Rep. Shaffer moved that Rep. Green be excused temporarily from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4316, entitled

A bill to establish the right of employees to pursue employment free from religious and political indoctrination; to limit employment actions based on attendance at, or receptivity to, employer-selected political or religious programs or communications; to prohibit retaliation for reporting or pursuing a remedy for a suspected violation of the act; and to provide sanctions and remedies.

The bill was read a second time.

Rep. Wenke moved to amend the bill as follows:

1. Amend page 3, line 21, after “religious” by striking out the balance of the line through “labor” on line 22 and inserting “or political”.

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 257

Yeas—48

Acciavatti
Agema
Amos

Gaffney
Garfield
Hansen

Meekhof
Meltzer
Moolenaar

Pearce
Proos
Robertson

| | | | |
|-------------|-------------|----------|-------------|
| Ball | Hildenbrand | Moore | Rocca |
| Booher | Hoogendyk | Moss | Schuitmaker |
| Calley | Horn | Nitz | Shaffer |
| Casperson | Huizenga | Nofs | Stahl |
| Caswell | Hune | Opsommer | Stakoe |
| Caul | Jones, Rick | Palmer | Steil |
| DeRoche | Knollenberg | Palsrok | Walker |
| Elsenheimer | LaJoy | Pastor | Ward |
| Emmons | Law, David | Pavlov | Wenke |

Nays—56

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

In The Chair: Sak

Rep. Meadows 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. 4316, entitled

A bill to establish the right of employees to pursue employment free from religious and political indoctrination; to limit employment actions based on attendance at, or receptivity to, employer-selected political or religious programs or communications; to prohibit retaliation for reporting or pursuing a remedy for a suspected violation of the act; and to provide sanctions and 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. 258**Yeas—58**

| | | | |
|-----------|--------------|---------------|-------------|
| Accavitti | Cushingberry | Johnson | Polidori |
| Angerer | Dean | Jones, Robert | Sak |
| Bauer | Dillon | Lahti | Scott |
| Bennett | Donigan | Law, Kathleen | Sheltrown |
| Bieda | Ebli | LeBlanc | Simpson |
| Brown | Espinoza | Leland | Smith, Alma |

| | | | |
|-----------|----------|----------|---------------|
| Byrnes | Farrah | Lemmons | Smith, Virgil |
| Byrum | Gillard | Lindberg | Spade |
| Cheeks | Gonzales | Mayer | Tobocman |
| Clack | Griffin | McDowell | Vagnozzi |
| Clemente | Hammel | Meadows | Valentine |
| Condino | Hammon | Meisner | Warren |
| Constan | Hood | Melton | Wojno |
| Corriveau | Hopgood | Miller | Young |
| Coulouris | Jackson | | |

Nays—49

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

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

“Mr. Speaker and members of the House:

This bill is seriously flawed. It enforces vast prohibitions on job providers to communicate with their employees. In addition, it specifically exempts labor unions from these prohibitions. This creates an unfair balance in the workplace.”

Second Reading of Bills

House Bill No. 4979, 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 1g and 9a (MCL 247.651g and 247.659a), section 1g as added by 1997 PA 79 and section 9a as amended by 2002 PA 499.

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

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

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

The motion prevailed.



Rep. Tobocman moved that Rep. Gillard 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. 4265, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending section 5c (MCL 432.105c), as amended by 2006 PA 427.

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

Roll Call No. 259

Yeas—81

| | | | |
|------------|-------------|---------------|---------------|
| Accavitti | Donigan | LaJoy | Rocca |
| Acciavatti | Ebli | Law, David | Sak |
| Angerer | Espinoza | Law, Kathleen | Scott |
| Bauer | Farrah | LeBlanc | Shaffer |
| Bennett | Gaffney | Leland | Sheltrown |
| Bieda | Gonzales | Lemmons | Simpson |
| Booher | Griffin | Lindberg | Smith, Alma |
| Brown | Hammel | Mayer | Smith, Virgil |
| Byrnes | Hammon | McDowell | Spade |
| Byrum | Hansen | Meadows | Stakoe |
| Calley | Hildenbrand | Meisner | Steil |
| Caul | Hood | Melton | Tobocman |
| Cheeks | Hopgood | Miller | Vagnozzi |
| Clack | Horn | Moore | Valentine |
| Clemente | Hune | Nitz | Walker |
| Condino | Jackson | Nofs | Ward |

| | | | |
|--------------|---------------|----------|--------|
| Constan | Johnson | Palsrok | Warren |
| Corriveau | Jones, Robert | Pavlov | Wenke |
| Coulouris | Knollenberg | Polidori | Wojno |
| Cushingberry | Lahti | Proos | Young |
| Dillon | | | |

Nays—24

| | | | |
|-----------|-------------|-------------|-------------|
| Agema | DeRoche | Jones, Rick | Palmer |
| Amos | Elsenheimer | Meekhof | Pastor |
| Ball | Garfield | Meltzer | Pearce |
| Casperson | Green | Moolenaar | Robertson |
| Caswell | Hoogendyk | Moss | Schuitmaker |
| Dean | Huizenga | Opsommer | Stahl |

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Thursday, July 19, at 10:00 a.m. The motion prevailed.

Rep. Mayes offered the following resolution:

House Resolution No. 154.

A resolution to memorialize the United States Congress to investigate and adjust the formula for allocating funding to the states for the Emergency Food Assistance Program.

Whereas, The Emergency Food Assistance Program (TEFAP), which was first authorized in 1981, is a federal program administered in our state by the Michigan Department of Education. Through TEFAP, the United States Department of Agriculture provides commodity foods to supplement the diets of low-income Americans, including senior citizens. The amount of food provided by the federal government to Michigan is based on the number of unemployed persons and the number of people with incomes below the poverty level. Food provided to Michigan is then distributed to local agencies selected to deliver the food to those who qualify. It is a critical program that maintains proper nutrition, especially in our rural areas where there are no other options for emergency food assistance; and

Whereas, TEFAP also provides administrative funds to help pay for the shipping, packaging, and distribution of food to eligible families. This funding has traditionally helped offset the total costs of delivering the food packages to eligible families, but has not covered the complete cost. Unfortunately, the federal formula for distributing food aid to the states is inappropriate for allocating administrative funding to local agencies that participate in TEFAP. The new allocation formula to local agencies approved by the Michigan Department of Education, which is based on the federal food distribution formula, has broken the traditional linkage between families served and administrative funding support levels. As a result, organizations that currently participate in the program will have to end their role because they do not have the resources to make up for the loss of administrative funding from the federal government that will take place in the new fiscal year. Many needy people will lose this lifeline of nutritional support and will face daunting choices between purchasing food or medicine with their own meager resources; and

Whereas, It is imperative that the United States Congress correct the hardship that will unfold in the new fiscal year. The new administrative support funding formula for TEFAP does not reflect the challenges of delivering food in a rural environment that covers great distances. At a time when our state is struggling to regain our economic momentum, we must not place an added burden on our most vulnerable citizens by depriving them of crucial direct nutrition support. Without adequate administrative funding, food will not make it to the tables of our rural poor; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to investigate and adjust the formula for allocating funding to the states for the Emergency Food Assistance Program; and be it further

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

The resolution was referred to the Committee on Agriculture.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members on Wednesday, July 18:

House Bill No. 5028

Reports of Standing Committees

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

Senate Bill No. 298, entitled

A bill to amend 1836 PA 25, entitled "An act concerning the records of deeds and other conveyances of land," by amending section 1 (MCL 565.581).

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer

Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

Senate Bill No. 299, entitled

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201), as amended by 2002 PA 19.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer

Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

Senate Bill No. 300, entitled

A bill to amend 1867 PA 20, entitled "An act relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof," by amending section 1 (MCL 565.491), as amended by 1992 PA 211.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

Senate Bill No. 301, entitled

A bill to amend 1873 PA 5, entitled "An act to provide for the recording of judgments in actions affecting or relating to the title of real estate," by amending section 1 (MCL 565.401).

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

Senate Bill No. 302, entitled

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," by amending section 2 (MCL 565.452).

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

Senate Bill No. 303, entitled

A bill to amend 1875 PA 54, entitled "An act to facilitate the inspection and reproduction of the records and files in the offices of the registers of deeds," by amending section 1 (MCL 565.551), as amended by 1994 PA 51.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrum, Chair, of the Committee on Intergovernmental, Urban and Regional Affairs, was received and read:

Meeting held on: Wednesday, July 18, 2007

Present: Reps. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer

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

House Bill No. 4289, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 322, 625, 625k, 625l, and 904 (MCL 257.319, 257.322, 257.625, 257.625k, 257.625l, and 257.904), sections 319 and 904 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, and sections 625k and 625l as amended by 2003 PA 61, and by adding sections 20b and 323f.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rocca

Nays: Rep. Rick Jones

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

House Bill No. 4611, entitled

A bill to authorize a process for retired law enforcement officers to carry concealed firearms in this state; to prescribe certain powers and duties of the commission on law enforcement standards; to impose certain civil and criminal penalties; to impose certain requirements on persons issued certificates to carry concealed firearms; to provide for certain civil immunity; to allow for the collection of certain fees; to create certain funds; to provide for the forfeiture of firearms under certain circumstances; and to provide for the promulgation of rules.

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

1. Amend page 4, line 15, after "act." by inserting "A certificate is valid for 12 months and expires on a date determined by the commission. A certificate that is not revoked may be renewed annually."

2. Amend page 4, line 17, after "valid" by inserting "Michigan".

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4612, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2005 PA 207.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 4920, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 322, 625, 625b, 625k, 625l, and 904 (MCL 257.319, 257.322, 257.625, 257.625b, 257.625k, 257.625l, and 257.904), sections 319 and 904 as

amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, section 625b as amended by 2004 PA 62, and sections 625k and 625l as amended by 2003 PA 61, and by adding section 20b.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rocca

Nays: Rep. Rick Jones

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

House Bill No. 4921, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 322, and 625 (MCL 257.303, 257.319, 257.322, and 257.625), section 303 as amended by 2006 PA 298, section 319 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, and section 625 as amended by 2006 PA 564, and by adding section 20b.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rocca

Nays: None

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

Senate Bill No. 386, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520b, 520c, 520d, and 520e (MCL 750.520b, 750.520c, 750.520d, and 750.520e), section 520b as amended by 2006 PA 169, section 520c as amended by 2006 PA 171, and sections 520d and 520e as amended by 2002 PA 714.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 18, 2007

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

Messages from the Senate

House Bill No. 4471, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40102 (MCL 324.40102), as amended by 2000 PA 347.

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

The House agreed to the full title.

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

House Bill No. 4614, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40107d.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), 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 Concurrent Resolution No. 27.

A concurrent resolution to revise the total project cost of the Technical and Industrial Building Renovations project at Washtenaw Community College.

(For text of resolution, see House Journal No. 57, p. 862.)

The Senate has adopted the concurrent resolution and named Senators Brater, Clarke and Gleason as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Notices

July 18, 2007

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

Dear Mr. Clerk:

I am appointing the following members of the House to the Retiree Health Care Reforms Committee for terms from July 18, 2007 to December 31, 2008:

Representative Mark Meadows – C
Representative Andy Coulouris
Representative Dudley Spade
Representative Bert Johnson

Representative Lorence Wenke
Representative Brian Calley
Representative Marty Knollenberg

Sincerely,
Andy Dillon
Speaker of the House of Representatives

Communications from State Officers

The following communications from the Department of Treasury were received and read:

July 17, 2007

Please find attached one copy of the first Principal Residence Exemption Compliance Program Quarterly Report for the period April 1, 2007 through June 30, 2007. The report is required by Public Act 345 of 2006, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$5,856,800.00 included in part 1 for the revenue enhancement program, \$5,356,000.00 shall be used for revenue collection enhancement activities including auditing functions.

(3) The \$500,000.00 balance of the \$5,856,800.00 shall be used for the principal residence exemption compliance program. Along with other program costs, expenditures shall include the development of a statewide web-based database created for the purpose of enforcing the principal residence exemption compliance program. The department shall submit quarterly progress reports that include the number of exemptions denied and the revenue received under this program. The legislative auditor general shall complete a performance audit of the principal residence exemption compliance program prior to April 1, 2007. Revenue generated to the state from the principal residence exemption compliance program shall be used to reimburse the state general fund for the \$500,000.00 appropriation prior to any other allocation. Additional funds from the revenue enhancement program and carry-forward appropriations may be used to support costs in excess of \$500,000.00.

July 17, 2007

Please find attached one copy of the Personal Property Audit Quarterly Report for the period April 1, 2007 –June 30, 2007. The report is required by Public Act 345 of 2006, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$5,856,800.00 included in part 1 for the revenue enhancement program, \$5,356,000.00 shall be used for revenue collection enhancement activities including auditing functions.

(2) The department of treasury shall submit quarterly progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

Frederick Headen, Director
Bureau of Local Government Services

The communications were referred to the Clerk.

Introduction of Bills

Rep. Steil introduced

House Bill No. 5029, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5474b (MCL 333.5474b), as added by 2004 PA 432; and to repeal acts and parts of acts.

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

Reps. Hune and Gaffney introduced

House Bill No. 5030, entitled

A bill to amend 1995 PA 30, entitled "Electric transmission line certification act," by amending section 10 (MCL 460.570), as amended by 2004 PA 198, and by adding section 5a.

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

Reps. LeBlanc and Sak introduced

House Bill No. 5031, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43537 (MCL 324.43537), as amended by 1996 PA 585.

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

Reps. Byrum, Simpson, Miller, LeBlanc, Hood, Virgil Smith, Polidori, Brown and Pastor introduced

House Bill No. 5032, entitled

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 102, 103, 202, 208, 301, 401, 601, 604, 606, and 702 (MCL 125.3102, 125.3103, 125.3202, 125.3208, 125.3301, 125.3401, 125.3601, 125.3604, 125.3606, and 125.3702).

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

Rep. Hildenbrand introduced

House Bill No. 5033, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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

Rep. Sheltroun introduced

House Bill No. 5034, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8501 (MCL 324.8501), as amended by 2006 PA 503.

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

Rep. Mayes introduced

House Bill No. 5035, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8517 (MCL 324.8517), as added by 1998 PA 276.

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

Reps. Hammel, Sak, LeBlanc, Meadows, Hammon, Clack, Bauer, Bennett, Bieda, Melton, Nofs, Rick Jones, Constan, Johnson, Gaffney, Coulouris, Polidori, Byrnes, Lahti, Stahl and Condino introduced

House Bill No. 5036, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 2c (MCL 29.2c), as amended by 2006 PA 189.

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

Rep. Hammon moved that the House adjourn.

The motion prevailed, the time being 2:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, July 19, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives

