

**No. 85**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Wednesday, September 12, 2007.

12:00 Noon.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—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—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—excused	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—excused	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—excused
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. John Stahl, from the 82nd District, offered the following invocation:

“Dear Lord,

You are the Almighty God that we can approach to ask blessings upon the state of Michigan. You have destined each of us here to do Your will for Your purposes. May we hear from heaven, by Your spirit, the wisdom needed to lead this legislative body.

We want to acknowledge You in all that we say and do, that we may obey and serve, to obtain the blessings upon the people of Michigan. But we have acted arrogantly with presumption and with actions of self-sufficiency. Lord, open our ears to instruction that we may work together and appropriate a budget that be responsible and of truth. Please guide us to prioritize the needs to be met with efficiency, what needs are to be cut and what reforms to make. Help us in the future to structure a tax base that is just.

We acknowledge You as Creator and we ask that You bless the Governor, the Speaker, and the Majority Leader with the design and plans they need, along with the participation of all the Representatives and Senators.

Thank You Lord. May we now proceed this session with integrity and that which is right. We have been placed here by the trust and will of the people. May we keep their trust by being their voice represented. In the glorious name of Your son, Jesus Christ, I pray, Amen.”

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

Rep. Tobocman moved that Rep. Warren be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 633, 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.

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

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. 633, 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.

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

#### Roll Call No. 367

#### Yeas—107

Accavitti  
Acciavatti  
Agema  
Amos

Dillon  
Donigan  
Ebli  
Elsenheimer

Lahti  
LaJoy  
Law, David  
Law, Kathleen

Pearce  
Polidori  
Proos  
Robertson

Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrar	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
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
Cheeks	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Wenke
Cushingberry	Jones, Rick	Palsrok	Wojno
Dean	Jones, Robert	Pastor	Young
DeRoche	Knollenberg	Pavlov	

### Nays—0

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal 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.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

### Introduction of Bills

Rep. Cushingberry introduced

#### House Joint Resolution X, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to increase the rate of the sales tax and use tax in this state.

The joint resolution was read a first time by its title.

Pending the reference of the joint resolution to a committee,  
Rep. Tobocman moved that Rules 41 and 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.  
Rep. Tobocman moved that the joint resolution be placed on the order of Second Reading of Bills.  
The motion prevailed.

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

**House Joint Resolution X, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to increase the rate of the sales tax and use tax in this state.

The joint resolution was read a second time.

Rep. Cushingberry moved that the joint resolution be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the joint resolution 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 Joint Resolution X, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to increase the rate of the sales tax and use tax in this state.

The joint resolution was read a third time.

The question being on the adoption of the joint resolution,

Rep. Tobocman moved that consideration of the joint resolution be postponed temporarily.

The motion prevailed.

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

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 Friday, September 14, at 10:00 a.m.  
The motion prevailed.

Reps. Pearce, Sak, Dean, Ball, Bieda, Brandenburg, Casperson, Clack, Constan, Cushingberry, Farrah, Gonzales, Hansen, Rick Jones, Robert Jones, Knollenberg, Lemmons, Marleau, Nitz, Polidori, Proos, Rocca, Shaffer, Sheltroun, Stahl, Steil and Wojno offered the following concurrent resolution:

**House Concurrent Resolution No. 47.**

A concurrent resolution to urge universities and K-12 schools to warn children and young adults about the dangers of prescription and over-the-counter drugs, to encourage physicians and pharmacists to alert parents to the inherent dangers of these drugs, and to encourage parents to keep these medications out of their children's reach.

Whereas, Household medicine cabinets pose a danger to the health and safety of children and young adults. Medicine cabinets may contain pain relievers, anti-depressants, anti-hypertensives, and myriad other medications that can harm children. Medications prescribed for parents or others in a household may appear safe and benign to some young children. Children often mistakenly think that medicine cabinets contain only "safe" medications that "mom" gives them when they are sick; and

Whereas, Recently, a teenage boy, Spencer Berndt of Rockford, Michigan, died from an allergic reaction after he took some of his mother's pain medications to ease the pain of an injury. Tragically, Spencer was unaware that prescription medications are only safe for the person they are prescribed for and their improper use by others can have serious consequences; and

Whereas, Some teens may experiment with prescription drugs. It is becoming increasingly common for teenagers to abuse pain medications, over-the-counter (OTC) medications, and other drugs found in a parent’s medicine cabinet. At “skittles parties” kids take handfuls of Coricidin, a common cold and flu medication, and experience hallucinations and other effects. According to the University of Michigan Monitoring the Future Survey, 3 percent of 8th-graders, 7 percent of 10th-graders, and about 10 percent of 12th-graders abused prescription drugs in 2006. There have been reports of teen deaths and overdoses from prescription medications; and

Whereas, Abuse of drugs can have a very damaging effect on the still developing brains of children and young adults. Prescription and OTC medications that are abused or used for nonmedical reasons can alter brain activity and lead to dependence; and

Whereas, We need to get the word out to children and teens that prescription medications, OTC medications, and other common items in household medicine cabinets are potentially dangerous and should not be used improperly or without their parents supervision; and

Whereas, Parents need to be informed of the potential danger to their children of the common medications lurking inside their medicine cabinets and to check their medicine cabinets and discard any prescription drugs that are no longer required to treat a medical condition so that these medications are not available to be misused or accidentally ingested; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge universities and K-12 schools to warn children and young adults about the dangers of prescription drugs, we encourage physicians and pharmacists to alert parents to the inherent dangers of these drugs, and we encourage parents to keep these medications out of their children’s reach; and be it further

Resolved, That copies of this resolution be made available to all K-12 schools, colleges, universities, educational institutions, physicians offices, and healthcare facilities in the state of Michigan.

The concurrent resolution was referred to the Committee on Education.

Reps. Brown, Ball, Bieda, Brandenburg, Casperson, Clack, Constan, Cushingberry, Dean, Farrah, Gonzales, Hansen, Rick Jones, Robert Jones, Kathleen Law, Leland, Lemmons, Marleau, Meadows, Nitz, Palmer, Pearce, Polidori, Proos, Rocca, Sak, Sheltrown, Stahl, Tobocman, Valentine and Wojno offered the following concurrent resolution:

**House Concurrent Resolution No. 48.**

A concurrent resolution to urge regular funding for the United States Army Corps of Engineers to dredge recreational harbors on the Great Lakes.

Whereas, Recreational boating on the Great Lakes is a billion dollar industry. The Great Lakes states are home to 4.3 million registered recreational boats, one-third of all registered boats nationwide. More than 900,000 recreational boats in the region are estimated to operate primarily on the Great Lakes. These Great Lakes boaters pump nearly \$3.8 billion dollars per year into local economies, creating thousands of jobs and spurring waterfront redevelopment; and

Whereas, Boaters on the Great Lakes rely on the network of more than 80 recreational harbors to launch, operate, and dock their boats. These harbors are not only used by recreational boaters but may serve as the home for ferry operations and United States Coast Guard search and rescue stations. In addition, sixteen are designated harbors of refuge during storms and five are essential for isolated island communities to receive goods and services; and

Whereas, Recreational harbors require regular dredging so boaters can use them safely. Natural shoaling, exacerbated by current low lake levels, reduce access to recreational harbors and create dangerous boating conditions that jeopardize the economic benefits derived from recreational boating; and

Whereas, Current federal policies and funding limit dredging in recreational harbors traditionally maintained by the United States Army Corps of Engineers. The Army Corps would secure the billions in economic activity generated by recreational boating by regularly dredging recreational harbors on the Great Lakes; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge regular funding for the United States Army Corps of Engineers to dredge recreational harbors on the Great Lakes; and be it further

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

The concurrent resolution was referred to the Committee on New Economy and Quality of Life.

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

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, September 12:

<b>House Joint Resolution</b>	<b>X</b>													
<b>Senate Bill Nos.</b>	<b>764</b>	<b>765</b>	<b>766</b>	<b>767</b>	<b>768</b>	<b>769</b>	<b>770</b>	<b>771</b>	<b>772</b>	<b>773</b>	<b>774</b>	<b>775</b>		

The Clerk announced that the following Senate bill had been received on Wednesday, September 12:  
**Senate Bill No. 757**

### Reports of Standing Committees

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported  
**House Bill No. 5143, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

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. Polidori, Brown, Dean, Lemmons, Sheltroun, Emmons, Garfield and Horn

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported  
**House Resolution No. 175.**

A resolution to memorialize the United States Congress to reestablish medical care for certain veterans whose income and disability status disqualified them for Department of Veterans Affairs medical care as of January 17, 2003. (For text of resolution, see House Journal No. 77, p. 1256.)

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. Polidori, Brown, Dean, Lemmons, Sheltroun, Emmons, Garfield and Horn

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, September 12, 2007

Present: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Emmons, Garfield and Horn

Absent: Rep. Pastor

Excused: Rep. Pastor

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

**House Bill No. 5118, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 265 (MCL 208.1265).

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. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil, Palmer, Wenke and Calley

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

**House Bill No. 5125, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 433 (MCL 208.1433).

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. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Meltzer, Steil, Wenke and Calley

Nays: Rep. Young

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

**House Bill No. 5126, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435).

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. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Meltzer, Steil, Wenke and Calley

Nays: Rep. Young

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bieda, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, September 12, 2007

Present: Reps. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil, Palmer, Wenke and Calley

Absent: Reps. Farrah, Warren and Pastor

Excused: Reps. Farrah, Warren and Pastor

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Accavitti, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, September 12, 2007

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Palsrok, Garfield, Moolenaar, Horn and Opsommer

Absent: Rep. Huizenga

Excused: Rep. Huizenga

**Messages from the Senate**

**House Bill No. 4344, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators Kahn, Pappageorge and Cherry as conferees to join with Representatives McDowell, Cushingberry and Caswell.

The bill was referred to the Conference Committee.

**House Bill No. 4346, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The Senate has appointed Senators Jelinek, Brown and Switalski as conferees to join with Representatives Gillard, Vagnozzi and Caswell.

The bill was referred to the Conference Committee.

**House Bill No. 4348, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has appointed Senators Cropsey, Kahn and Brater as conferees to join with Representatives Alma Smith, Bennett and Proos.

The bill was referred to the Conference Committee.

**House Bill No. 4350, entitled**

A bill to make appropriations for certain state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Stamas, George and Barcia as conferees to join with Representatives Byrnes, Cushingberry and Acciavatti.

The bill was referred to the Conference Committee.

**House Bill No. 4358, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators Garcia, Cropsey and Brater as conferees to join with Representatives Bennett, Espinoza and Proos.

The bill was referred to the Conference Committee.

**House Bill No. 4359, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 6a, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20j, 22a, 22b, 22c, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 99h, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1606a, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622c, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1676, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1699h, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 as amended by 2007 PA 6, sections 6, 11a, 11f, 11k, 15, 18, 20, 20j, 22d, 24, 26a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 94a, 98, 99, and 107 as amended and sections 11m, 22c, 24a, 24c, 29, 32b, 64, 99e, 99h, and 104 as added by 2006 PA 342, section 6a as amended by 1997 PA 93, sections 8b and 38 as amended by 2003 PA 158, sections 19 and 39 as amended by 2005 PA 155, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding sections 31g, 32, 32e, 32f, 65a, 77, 98d, 99a, and 99i; and to repeal acts and parts of acts.

The Senate has appointed Senators Jelinek, Brown and Switalski as conferees to join with Representatives Gillard, Cushingberry and Caswell.

The bill was referred to the Conference Committee.



**House Bill No. 4360, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Hardiman, McManus and Clark-Coleman as conferees to join with Representative Bauer, Byrnes and Booher.

The bill was referred to the Conference Committee.

**Senate Bill No. 232, 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, 2008; 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 nonconcurred in the House substitute (H-6) and appointed Senators Hardiman, Kahn and Scott as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 757, 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 and 9 (MCL 207.552 and 207.559), section 2 as amended by 2007 PA 12 and section 9 as amended by 2006 PA 436.

The Senate has passed the bill.

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

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4797**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4798**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 546**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 547**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5194**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5196**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5198**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5200**.

Rep. Tobocman

### **Explanation of “No” Votes**

Rep. Knollenberg, having reserved the right to explain his protest against the passage of **Senate Bill Nos. 418, 419, 420 and 421**, made the following statement:

“Mr. Speaker and members of the House:

The intent of this package of bills was to increase competition and lower healthcare insurance rates for our public employees. The bills accomplished this goal when they came over from the Senate. However, as amended in Committee today, these bills are gutted.

The question must be asked, why? Why are we destroying legislation designed to save our school districts much needed money? Why are the only two groups opposed to the Senate bill Sponsor’s intentions the MEA and MESSA? And why are we pandering to these special interest groups when testimony clearly showed that the Senate passed version of these bills would provide much needed additional options for our struggling rates.

We have an opportunity here today to make some real reform and provide an option to our school districts to save some real money without reducing benefits. I urge my colleagues to vote no on this substitute because of the changes made in Committee today which remove some of the competitive incentives and restricts pooling options. Let’s get this right while we have the opportunity. I would respectfully urge a no vote.”

### **Introduction of Bills**

Rep. Gaffney introduced

#### **House Bill No. 5202, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 79d (MCL 257.79d), as added by 2003 PA 315.

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

Rep. Lemmons introduced

#### **House Bill No. 5203, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 867 and 881 (MCL 168.867 and 168.881), section 867 as amended by 1980 PA 200 and section 881 as amended by 1995 PA 261.

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

Rep. Lemmons introduced

#### **House Bill No. 5204, entitled**

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending section 8 (MCL 207.1008), as amended by 2006 PA 268.

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

Rep. Lemmons introduced

#### **House Bill No. 5205, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20114 (MCL 324.20114), as amended by 1995 PA 71.

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

Reps. Sak, Dean and Steil introduced

**House Bill No. 5206, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 126 (MCL 125.526), as amended by 2000 PA 479.

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

Reps. Sak, Dean and Steil introduced

**House Bill No. 5207, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r; and to repeal acts and parts of acts.

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

Reps. Gaffney, Hune, Rocca and Caswell introduced

**House Bill No. 5208, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1106 to 208.1601) by adding section 451.

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

Reps. Rick Jones, Opsommer, Sheltroun, Agema, Polidori, Pearce, Mayes, Stahl and LaJoy introduced

**House Bill No. 5209, entitled**

A bill to amend 1986 PA 273, entitled "An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1403), as amended by 2004 PA 183.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Rep. Young introduced

**House Bill No. 5210, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2110c.

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

Rep. Young introduced

**House Joint Resolution W, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IX, to limit the application of the requirement for a millage rollback under certain circumstances.

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

Reps. Hoogendyk, Garfield, Sheen, Palmer, Acciavatti, Meekhof, Elsenheimer, Pastor, Brandenburg, LaJoy, Robertson, Rick Jones, Hune, David Law, Meltzer, Marleau, Nitz, Schuitmaker, Emmons, Moss, Hildenbrand, Stahl, Palsrok, Knollenberg, Agema, Pavlov, Opsommer, Stakoe, Booher, Moolenaar, Calley, DeRoche, Amos, Shaffer, Green, Huizenga, Casperson, Steil, Moore, Horn, Hansen and Rocca introduced

**House Joint Resolution Y, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 26 of article IV, to provide for concurrence of 3/5 of the members of each house to impose certain taxes or to make certain modifications to certain taxes.

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

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Rep. Ebli moved that the House adjourn.

The motion prevailed, the time being 2:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Friday, September 14, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives