

**No. 110**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

---

---

House Chamber, Lansing, Thursday, October 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—excused      | Marleau—present       | Shaffer—present       |
| Booher—present       | Gillard—present       | 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—excused        | Meisner—present       | Smith, Virgil—present |
| Calley—present       | Hammon—present        | Melton—present        | Spade—present         |
| Casperson—present    | Hansen—present        | Meltzer—e/d/s         | 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—e/d/s            |
| Corriveau—present    | Jackson—e/d/s         | 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. Matt Gillard, from the 106th District, offered the following invocation:

“I would like to share with you the words of E. Tobias Balivet. He was both an attorney and a judge and known for injecting both wisdom and humor into difficult discussions.

Let us bow our heads for a moment of silence and reflection. We are gathered together in civil assembly. We gather as a community, in the oldest sense of the word. We gather to come together and try to make decisions, about what is right, about what is wrong. Let us advocate for our positions, but not at the expense of others. Let us remember that there is an immense gap between saying, ‘I am right’ and saying ‘I believe I am right,’ and that our neighbors with whom we disagree are good people ‘with hopes and dreams as true and high as ours.’ And let us always remember that, in the end, caring for each other is of far greater importance than any difference we may have.

Amen.”

---

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

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

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 216** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 216.**

A resolution of tribute offered as a memorial for James N. Callahan, former member of the House of Representatives.

Whereas, The members of this legislative body and many people throughout the capital city and our state were saddened to learn of the passing of James N. Callahan. His achievements in local government, as a two-term state representative, and as head of the Michigan Association of Counties had a significant positive impact on a wide range of public policy matters. The sense of service demonstrated in all he undertook will long be felt and valued; and

Whereas, A native of Flint who studied at Central Michigan University, James Callahan served his country with distinction in the United States Army in Korea. His return to civilian life saw him redirect his energies in the service of others to the arenas of the business world and local government. In addition to his efforts in the insurance industry, he took on the mantle of leadership as the mayor of Mt. Morris for six years. He also served as a member and chair of the Genesee County Board of Supervisors; and

Whereas, Elected to the Michigan House of Representatives in 1966, James Callahan served as chair of the House Committee on Towns and Counties for the 1969-70 legislature, sharing his insights and experiences. His deep understanding of the workings of local government was put to excellent use in his 20 years with the Michigan Association of Counties, including his work as the Director of Legislative Affairs and his leadership as Executive Director. Clearly, this proud Irishman, through his personal warmth and his unselfishness, touched many lives in Michigan; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of James N. Callahan, a member of this legislative body from 1967 to 1970; and be it further

Resolved, That copies of this resolution be transmitted to the Callahan family as evidence of the lasting esteem that will be held for his memory across our state.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

**Third Reading of Bills****Senate Bill No. 16, entitled**

A bill to establish the prostate cancer research fund in the department of community health; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

**Roll Call No. 480****Yeas—103**

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

**Nays—2**

Hoogendyk Palmer

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

“Mr. Speaker and members of the House:

I have voted against this bill not because I oppose further research in the fields of breast and prostate cancer. Quite the contrary, I personally believe that the encouragement and expansion of such research is essential and instrumental

in saving lives. Rather, after witnessing the government's abuse of the check-off process, I strongly object to using the government as a middleman for filtering research dollars for any cause, no matter how noble. I question the efficiency, the expense, and the hidden cost in this process, and have personally concluded that private contributions clearly serve each and every charitable effort much more efficiently than allowing government to diminish this amount. Michigan's citizens have been extremely generous in supporting charitable causes such as these, and I have every confidence that they will continue to do so. I further believe that we should use our tax code and forms only for the purposes that they were intended, to fund the essentials that a government needs to provide its citizens, and nothing more."

**Senate Bill No. 348, entitled**

A bill to establish the Amanda's fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

**Roll Call No. 481**

**Yeas—103**

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

**Nays—2**

Hoogendyk Palmer

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 establish the Amanda's fund for breast cancer prevention and treatment in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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. Palmer, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I have voted against this bill not because I oppose further research in the fields of breast and prostate cancer. Quite the contrary, I personally believe that the encouragement and expansion of such research is essential and instrumental in saving lives. Rather, after witnessing the government’s abuse of the check-off process, I strongly object to using the government as a middleman for filtering research dollars for any cause, no matter how noble. I question the efficiency, the expense, and the hidden cost in this process, and have personally concluded that private contributions clearly serve each and every charitable effort much more efficiently than allowing government to diminish this amount. Michigan’s citizens have been extremely generous in supporting charitable causes such as these, and I have every confidence that they will continue to do so. I further believe that we should use our tax code and forms only for the purposes that they were intended, to fund the essentials that a government needs to provide its citizens, and nothing more.”

---

Reps. Jackson, Meltzer and Ward entered the House Chambers.

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

### Senate Bill No. 350, entitled

A bill to establish the animal welfare fund in the department of agriculture; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

### Roll Call No. 482

### Yeas—100

|             |             |               |               |
|-------------|-------------|---------------|---------------|
| Accavitti   | DeRoche     | Lahti         | Pearce        |
| Acciavatti  | Dillon      | LaJoy         | Polidori      |
| Amos        | Donigan     | Law, David    | Proos         |
| Angerer     | Ebli        | Law, Kathleen | Robertson     |
| Ball        | Elsenheimer | LeBlanc       | Rocca         |
| Bauer       | Emmons      | Leland        | Sak           |
| Bennett     | Espinoza    | Lemmons       | Schuitmaker   |
| Bieda       | Farrah      | Lindberg      | Scott         |
| Booher      | Gaffney     | Marleau       | Shaffer       |
| Brandenburg | Gillard     | Mayer         | Sheltrown     |
| Brown       | Gonzales    | McDowell      | Simpson       |
| Byrnes      | Green       | Meadows       | Smith, Alma   |
| Byrum       | Griffin     | Meisner       | Smith, Virgil |
| Calley      | Hammon      | Melton        | Spade         |
| Casperson   | Hansen      | Meltzer       | Stakoe        |
| Caswell     | Hildenbrand | Miller        | Steil         |
| Caul        | Hood        | Moolenaar     | Tobocman      |
| Cheeks      | Hopgood     | Moore         | Vagnozzi      |
| Clack       | Horn        | Moss          | Valentine     |

|              |               |          |        |
|--------------|---------------|----------|--------|
| Clemente     | Huizenga      | Nitz     | Walker |
| Constan      | Jackson       | Nofs     | Ward   |
| Corriveau    | Johnson       | Opsommer | Warren |
| Coulouris    | Jones, Rick   | Palsrok  | Wenke  |
| Cushingberry | Jones, Robert | Pastor   | Wojno  |
| Dean         | Knollenberg   | Pavlov   | Young  |

**Nays—7**

|           |         |        |       |
|-----------|---------|--------|-------|
| Agema     | Hune    | Palmer | Stahl |
| Hoogendyk | Meekhof | Sheen  |       |

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**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.

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

**Roll Call No. 483****Yeas—102**

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

**Nays—5**Law, David  
Meadows

Smith, Alma

Vagnozzi

Warren

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**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.

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

**Roll Call No. 484****Yeas—103**

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

**Nays—4**

Law, David

Meadows

Vagnozzi

Warren

In The Chair: Sak

The House agreed to the title of the bill.  
Rep. Dean 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. Dean moved that when the House adjourns today it stand adjourned until Tuesday, October 23, at 1:30 p.m.  
The motion prevailed.

Reps. Bieda, Condino, Simpson, Meadows, Accavitti, Bauer, Clack, Constan, Cushingberry, Dean, Gonzales, Hammon, Hopgood, Robert Jones, Kathleen Law, Lemmons, Palmer, Polidori, Sak, Sheltroun, Alma Smith, Stahl, Tobocman and Vagnozzi offered the following resolution:

**House Resolution No. 213.**

A resolution to memorialize the Congress of the United States and the United States President to enact H.R. 3648, the Mortgage Forgiveness Debt Relief Act of 2007.

Whereas, Home foreclosures lower property values, are devastating to families, and can turn entire neighborhoods into blighted areas. Foreclosures can cause an increase in crime rates, raise costs for local governments, and cause a decrease in funding for local schools; and

Whereas, Under current law, when a family faces mortgage foreclosure, any debt forgiven or renegotiated is considered taxable income. When people cannot afford to pay their mortgage they should not have income added, that they did not actually receive, to their tax bill; and

Whereas, A bipartisan majority of Congressional leaders support legislation that would help homeowners avoid foreclosure and secure the investment they have in their homes. This legislation would help stabilize the housing market and also prevent families dealing with the pain of foreclosure from having the double burden of a larger tax bill; and

Whereas, The Mortgage Forgiveness Debt Relief Act would help homeowners by amending the Internal Revenue Code to exclude from gross income amounts attributable to a discharge of mortgage indebtedness on a principal residence, provide a long-term extension of the tax deduction for private mortgage insurance, and tighten the requirements taxpayers must meet to exclude gain from the sale of certain homes that have been used as a vacation home or rental property; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the United States President to enact H.R. 3648, the Mortgage Forgiveness Debt Relief Act of 2007; 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 Banking and Financial Services.

Reps. Stahl, Pavlov, Pearce, Casperson, LaJoy, Knollenberg, Rick Jones, Mayes, Spade, Palsrok, Steil, Dean, Bieda, Caswell, Hoogendyk, Lemmons, Palmer, Sheen and Sheltroun offered the following resolution:

**House Resolution No. 214.**

A resolution to memorialize the United States Congress to extend the Title V abstinence education program through fiscal year 2013.

Whereas, Teenage sexual activity is a major problem confronting the nation. Sexually active teens are at risk of unwanted pregnancies and sexually transmitted diseases, including those that have no cure and last a lifetime. Studies have shown that youth who engage in sexual activity are at greater risk of emotional and psychological injuries and have higher rates of depression and teen suicide; and

Whereas, Teens who engage in sexual activity are making an extremely important decision that can impact their entire life, and they are making it without the benefit of knowledge and information. Teens need to be educated about the risks of sexual activity and the benefits of abstinence. Recently, high school students highlighted the benefits of sexual abstinence by publishing a brochure. Benefits include freedom from the stress of sexually transmitted diseases and pregnancies outside of marriage, the strength to wait for a lasting relationship, and the freedom to better their lives; and

Whereas, In 1996, Congress authorized funding for state programs that teach abstinence from sexual activity outside of marriage as the expected standard for school-age children. The enactment of Title V, Section 510 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 significantly increased the funding and prominence of abstinence education as an approach to promote sexual abstinence and healthy teen behavior. Programs receiving these funds may not endorse or promote contraceptive use; and



Whereas, Since the passage of PRWORA, the percentage of teens reporting premarital sex has decreased, continuing a decline that started in 1991. According to a report released by the Federal Interagency Forum on Child and Family Statistics, 47 percent of high school students, or 6.7 million, reported having had sexual intercourse in 2005, compared with 54 percent in 1991. Clearly, we must continue to fund abstinence education programs to reduce the numbers of teens engaging in sexual activity and give youth the best chance to be healthy and happy and live their lives to the fullest; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to extend the Title V abstinence education program through 2013 in the manner authorized for fiscal year 2006; 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 Health Policy.

Reps. Stahl, Pavlov, LaJoy, Casperson, Knollenberg, Rick Jones, Mayes, Spade, Palsrok, Steil, Accavitti, Hune, Dean, Bieda, Caswell, Clack, Green, Hoogendyk, Lemmons and Palmer offered the following resolution:

**House Resolution No. 215.**

A resolution to memorialize the Congress of the United States to provide full funding for the Lifespan Respite Care Act of 2006.

Whereas, The 109th Congress of the United States enacted landmark legislation to address health care challenges facing families all across our country. The Lifespan Respite Care Act of 2006, which the President signed as Public Law 109-442, amended the Public Health Services Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care; and

Whereas, The Lifespan Respite Care Act of 2006 provides for a program that has the potential to enable family members to be better equipped to care for loved ones in their homes rather than in more expensive settings. Clearly, the long-term benefits of this concept to help adults with special needs and their families are significant. Through grants administered by the states, a wide range of essential information will be provided to families, training will be provided to respite care workers, and caregivers will gain access to much-needed help; and

Whereas, The act authorizes appropriations levels for fiscal years 2007 to 2011. After that time, the Comptroller General of the United States will conduct an evaluation of the program and report to the Congress on its impact and provide cost-benefit analysis information. For this important legislation to reach its goals, however, the necessary funding from Congress is crucial; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide full funding for the Lifespan Respite Care Act of 2006; 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 Health Policy.

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

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, October 18, for her approval of the following bill:

**Enrolled House Bill No. 5251 at 9:45 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 18:

**House Bill Nos. 5322 5323 5324**  
**Senate Bill Nos. 834 835**

The Clerk announced that the following Senate bill had been received on Thursday, October 18:

**Senate Bill No. 716**

**Reports of Standing Committees**

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**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.

(For text of concurrent resolution, see House Journal No. 85, p. 1431.)  
With the recommendation that the concurrent resolution be adopted.  
The concurrent resolution was laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Clemente, Leland, Griffin, Meadows, Meisner and Melton  
Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, October 18, 2007

Present: Reps. Clemente, Leland, Griffin, Meadows, Meisner, Melton and Hildenbrand

Absent: Reps. Clack, Huizenga, Garfield and Pastor

Excused: Reps. Clack, Huizenga, Garfield and Pastor

The Committee on Health Policy, by Rep. Angerer, Chair, reported

**Senate Bill No. 593, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending the heading or part 131 and sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223, and by adding sections 13104, 13105, 13106, 13107, 13108, 13109, 13110, and 13111.

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. Angerer, Simpson, Byrum, Donigan, Hammon, Robert Jones, Valentine, Gaffney, Marleau, Green, Ball, Calley and Robertson

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 18, 2007

Present: Reps. Angerer, Simpson, Byrum, Corriveau, Donigan, Hammon, Robert Jones, Valentine, Gaffney, Marleau, Green, Ball, Calley and Robertson

Absent: Reps. Clack, Coulouris, Wojno and Hune

Excused: Reps. Clack, Coulouris, Wojno and Hune

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 17, 2007

Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Nitz, Meekhof and Agema

Absent: Rep. Ball

Excused: Rep. Ball

### Messages from the Senate

**Senate Bill No. 716, entitled**

A bill to amend 2004 PA 47, entitled "Medical records access act," by amending section 3 (MCL 333.26263).

The Senate has passed the bill.

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

### Communications from State Officers

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

October 15, 2007

Please find attached one copy of the Personal Property Audit Quarterly Report for the period July 1, 2007 – September 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.

Fredrick Headen, Director

Bureau of Local Government Services

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Scott, Johnson, Lemmons, Polidori, Constan, Condino, Farrah, Virgil Smith, Wojno, Simpson, Young, Gaffney and Cushingberry introduced

**House Bill No. 5325, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9d.

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

Reps. Wojno, Bieda, Byrnes and Dean introduced

**House Bill No. 5326, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 2004 PA 19.

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

Reps. Bieda, Angerer, Calley and Condino introduced

**House Bill No. 5327, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 239 (MCL 208.1239).  
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Bieda, Angerer, Calley and Condino introduced

**House Bill No. 5328, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 235 (MCL 208.1235).  
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Bieda, Angerer, Calley and Condino introduced

**House Bill No. 5329, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 403 (MCL 208.1403).  
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Bieda, Angerer, Calley and Condino introduced

**House Bill No. 5330, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 421 (MCL 208.1421).  
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Walker, Moolenaar, Nitz, Meekhof, Palmer, Hansen, Elsenheimer, Hildenbrand, Casperson, McDowell, Emmons, Meadows, Mayes, Booher, Moore, Caswell, Pastor and Miller introduced

**House Bill No. 5331, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43523, 43528, and 43531 (MCL 324.43523, 324.43528, and 324.43531), section 43523 as amended by 2006 PA 280 and sections 43528 and 43531 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. Johnson, Simpson, Virgil Smith, Scott, Melton, Hammel, Jackson, Accavitti, Angerer, Meisner, Lemmons, Hildenbrand, Gaffney, Wojno, Constan, Clack, Miller, Condino, Byrnes, Hammon, Nofs, Dean, Clemente, Leland, Gonzales and Tobocman introduced

**House Bill No. 5332, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101a (MCL 500.3101a), as amended by 1996 PA 456.

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

Reps. Nofs, Caswell, Steil, Rick Jones, Palmer, Espinoza, Gaffney, Virgil Smith, Stahl, Rocca, Hildenbrand, Moore, Pavlov, Nitz, Proos, Brandenburg, Meekhof, Acciavatti, Calley, Agema, Meltzer, Stakoe, Moolenaar, Sheen, Booher, Caul, Johnson and Gonzales introduced

**House Bill No. 5333, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 328 and 907 (MCL 257.328 and 257.907), section 328 as amended by 2004 PA 52 and section 907 as amended by 2006 PA 298, and by adding sections 520a and 520b.

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

Rep. Miller introduced

**House Bill No. 5334, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2006 PA 664.

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

By unanimous consent the House returned to the order of  
**Notices**

October 18, 2007

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

Dear Mr. Clerk:

I hereby make the following changes to the membership for the subcommittees of the Appropriations Committee for the 2007-2008 Legislative Session:

**Community Colleges**

Rep. Sak to replace Rep. Tobocman and is designated as Chair.

Representative Bauer is designated as Majority Vice-Chair.

Representative Byrnes is removed

**Community Health**

Rep. Walker to replace Rep. Agema.

**General Government**

Rep. Sak to replace Rep. Tobocman.

**Higher Education**

Rep. Walker to replace Rep. Agema.

**Joint Capital Outlay**

Rep. Sak to replace Rep. Tobocman.

**Transportation**

Rep. Walker to replace Rep. Agema.

Sincerely,  
George Cushingberry, Chair  
Appropriations Committee

---

Rep. Ball moved that the House adjourn.  
The motion prevailed, the time being 11:40 a.m.

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

RICHARD J. BROWN  
Clerk of the House of Representatives

