

No. 105
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House of Representatives
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House Chamber, Lansing, Tuesday, October 9, 2007.

1:30 p.m.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—excused	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—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—e/d/s	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—excused
Cushingberry—present	Jones, Rick—present	Pastor—excused	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—excused	Knollenberg—present		

e/d/s = entered during session

Rep. Kathy Angerer, from the 55th District, offered the following invocation:

“As the members of this Chamber gather together, let us remember that we have been given much and to those whom much is given, much is expected. Let us not take that charge lightly.

Let us be reminded that in our public service, we are ultimately serving You. We each come here with different gifts, but learning how You would have us use those gifts is our challenge.

You have asked us to care for the least of our brethren. For You said in Your Word, Whatsoever you do to the least of My brethren, that you do unto Me.

Guide our minds, guide our hearts and guide our hands when we make decisions in this magnificent place.

Teach us to bring people together, rather than to divide. Teach us to be agreeable, kind and courteous with those who cross our paths. Teach us to make a difference and not to leave this place without making it better for all those who depend on us. And help us to gather the courage to do what is right and take responsibility for those actions.

And finally Lord I ask that You please remind us each day that alone we are nothing, but with You and in You all things are possible. Amen.”

Rep. Booher moved that Reps. DeRoche, Emmons, Green, Pastor and Wenke be excused from today’s session. The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4799, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 61 (MCL 38.1361), as amended by 2006 PA 158.

(The bill was received from the Senate on September 23, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 24, see House Journal No. 94, p. 1526; Senate requested return of bill on September 30, see House Journal No. 101, p. 1667.)

Rep. Tobocman moved that the request of the Senate be granted.

The motion prevailed.

Rep. Hansen moved that Reps. Calley and Meltzer be excused temporarily from today’s session. The motion prevailed.

Third Reading of Bills

House Bill No. 5101, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending section 4 (MCL 207.774), as amended by 2006 PA 661.

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

Roll Call No. 452

Yeas—102

Accavitti
Acciavatti
Agema

Dillon
Donigan
Ebli

LaJoy
Law, David
Law, Kathleen

Polidori
Proos
Robertson

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 5007, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1203a (MCL 339.1203a), as added by 1997 PA 97.

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

Roll Call No. 453**Yeas—93**

Acciavatti	Donigan	Law, David	Robertson
Agema	Ebli	Law, Kathleen	Rocca
Amos	Elsenheimer	LeBlanc	Sak
Angerer	Espinoza	Leland	Schuitmaker
Bauer	Farrah	Lemmons	Scott
Bennett	Gaffney	Lindberg	Shaffer
Bieda	Garfield	Marleau	Sheen
Booher	Gillard	McDowell	Sheltrown
Brown	Gonzales	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Moolenaar	Stahl
Caul	Hoogendyk	Moore	Stakoe

Cheeks	Hopgood	Moss	Steil
Clack	Horn	Nitz	Tobocman
Clemente	Huizenga	Nofs	Vagnozzi
Condino	Hune	Palmer	Valentine
Constan	Johnson	Palsrok	Walker
Corriveau	Jones, Robert	Pavlov	Ward
Coulouris	Knollenberg	Pearce	Warren
Cushingberry	Lahti	Polidori	Wojno
Dean	LaJoy	Proos	Young
Dillon			

Nays—9

Accavitti	Hammon	Jones, Rick	Miller
Ball	Hood	Mayer	Opsommer
Brandenburg			

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. Hammon, 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:

HB5007 consistent monitoring for Cosmetology establishments, and salons has become a difficult if not impossible task, and HB 5007 will only hinder existing statues. I also worry that this legislation could jeopardize the public safety in that knowledge of chemicals, and proper removal, and disposal would not be safely conducted. The Cosmetology industry has worked hard for respect projecting trained skilled individuals, and I would not wish to hurt this industry. In a time when Michigan is projecting the need for quality education, this bill would undermine the quality of education being offered in Cosmetology schools and vocational programs across this great state.”

Rep. Jackson entered the House Chambers.

House Bill No. 5138, entitled

A bill to amend 2000 PA 161, entitled “Michigan education savings program act,” by amending sections 2, 3, 4, 5, 7, 9, 11, 12, and 15 (MCL 390.1472, 390.1473, 390.1474, 390.1475, 390.1477, 390.1479, 390.1481, 390.1482, and 390.1485), sections 2, 7, and 9 as amended by 2004 PA 387 and section 3 as amended by 2001 PA 215.

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

Roll Call No. 454

Yeas—103

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Donigan	LaJoy	Proos

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 5139, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

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

Roll Call No. 455**Yeas—103**

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Donigan	LaJoy	Proos
Agema	Ebli	Law, David	Robertson
Amos	Elsenheimer	Law, Kathleen	Rocca
Angerer	Espinoza	LeBlanc	Sak
Ball	Farrah	Leland	Schuitmaker
Bauer	Gaffney	Lemmons	Scott
Bennett	Garfield	Lindberg	Shaffer
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheltrown
Brandenburg	Griffin	McDowell	Simpson
Brown	Hammel	Meadows	Smith, Alma
Byrnes	Hammon	Meekhof	Smith, Virgil

Byrum	Hansen	Meisner	Spade
Casperson	Hildenbrand	Melton	Stahl
Caswell	Hood	Miller	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Cheeks	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean	Knollenberg	Pearce	

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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.

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

Roll Call No. 456**Yeas—103**

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

Cushingberry
Dean

Jones, Robert
Knollenberg

Pavlov
Pearce

Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Pending the Third Reading of
House Bill No. 4275, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 809 (MCL 257.809), as amended by 2005 PA 141.

Rep. Tobocman moved that the bill be re-referred to the Committee on Transportation.
The motion prevailed.

Pending the Third Reading of
House Bill No. 5195, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 30, 51, 261, 266, and 270 (MCL 206.30, 206.51, 206.261, 206.266, and 206.270), section 30 as amended by 2005 PA 214, section 51 as amended by 1999 PA 6, section 261 as amended by 2000 PA 195, section 266 as amended by 2006 PA 52, and section 270 as amended by 2005 PA 234; and to repeal acts and parts of acts.

Rep. Tobocman moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

Second Reading of Bills

House Bill No. 4494, entitled

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

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

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

Rep. Espinoza moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:

“**Sec. 101a. AGRICULTURE**

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION.....	\$	500,000
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	500,000
Total federal revenues		0
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	500,000

(2) ANIMAL INDUSTRY

Bovine tuberculosis program.....	\$	500,000
GROSS APPROPRIATION.....	\$	500,000

Appropriated from:

State general fund/general purpose	\$	500,000”
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and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Cushingberry moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 4821, entitled

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4b.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Angerer moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4607, entitled

A bill to amend 1982 PA 250, entitled "Child abuse and neglect prevention act," (MCL 722.601 to 722.613) by adding section 9a.

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

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

Rep. Shaffer moved to amend the bill as follows:

1. Amend page 2, line 24, after "**SERVICES**" by striking out "**AGENCIES**" and inserting "**DIRECTORS**".
2. Amend page 3, line 3, after "**EDUCATION**" by striking out the balance of the line through "**CORPORATION,**" on line 4.

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

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

The motion prevailed.

Pending the Second Reading of

Senate Bill No. 237, 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, 22d, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 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, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 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, 388.1704, 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, 24a, 24c, 32b, 64, 99e, and 104 as added by 2006 PA 342, section 6a as amended by 1997 PA 93, section 8b as amended by 2003 PA 158, section 19 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 section 32n; and to repeal acts and parts of acts.

Rep. Tobocman moved that the bill be referred to the Committee on Appropriations.

The motion prevailed.

Pending the Second Reading of

Senate Bill No. 511, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Rep. Tobocman moved that the bill be referred to the Committee on Appropriations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 4801, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

Rep. Tobocman moved that the bill be re-referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 4802, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

Rep. Tobocman moved that the bill be re-referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 4809, entitled

A bill to limit the cost of health benefits of certain state and local public employees.

Rep. Tobocman moved that the bill be re-referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 4284, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2006 PA 576.

Rep. Tobocman moved that the bill be re-referred to the Committee on Families and Children's Services.
The motion prevailed.

Pending the Second Reading of
House Bill No. 4337, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

Rep. Tobocman moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5196, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 4a (MCL 205.93 and 205.94a), as amended by 2004 PA 172.

Rep. Tobocman moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5200, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 2 and 6a (MCL 205.52 and 205.56a), section 2 as amended by 2004 PA 173 and section 6a as amended by 1993 PA 325.

Rep. Tobocman moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

Pending the Second Reading of
Senate Bill No. 687, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 201 (MCL 208.1201).

Rep. Tobocman moved that the bill be re-referred to the Committee on Tax Policy.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hammon, Clack, Constan, Meisner, Byrnes, Simpson, Bieda, Jackson, Johnson, Sak, Bauer, Warren, Alma Smith, Meadows, Coulouris, Polidori, Hammel, Accavitti, McDowell, Calley, Meekhof, Miller, Angerer, Brandenburg, Brown, Condino, Cushingberry, Dean, Farrah, Hood, Hopgood, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Mayes, Melton, Opsommer, Schuitmaker, Scott, Spade, Tobocman, Vagnozzi, Valentine, Wojno and Leland offered the following resolution:

House Resolution No. 199.

A resolution to urge the United States Congress to enact legislation to provide for an energy efficiency block grant program.

Whereas, The Renewable Energy and Energy Conservation Tax Act of 2007 (H.R. 3221) is comprehensive energy legislation that among other things, establishes an energy efficiency block grant program. This program will stimulate energy independence starting from a grassroots level by supporting community-based energy efficiency and conservation efforts. The legislation authorizes a total of \$2 billion per year from 2008 to 2012 for local and state energy efficiency efforts; and

Whereas, This new block grant program is modeled after the successful federal community development block grant program, which also gives money directly to cities, counties, and states for economic development and housing programs. The energy efficiency block grant program focuses 70 percent of funds on cities populated by 50,000 or more and counties populated by 200,000 or more. Remaining resources would be appropriated to state governments to pass on to less populated areas; and

Whereas, As our nation continues to grow in both population and energy usage, the development of energy efficiency programs is crucial to enable the nation to meet its energy needs and to mitigate global warming. Sustainable and efficient energy strategies are conducive to economic prosperity, health, and well-being and to the ability of the nation to manage future energy circumstances; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress to enact legislation to provide for an energy efficiency block grant 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 Energy and Technology.

Reps. Sak, Accavitti, Angerer, Bauer, Bieda, Booher, Brandenburg, Brown, Byrnes, Byrum, Caul, Clack, Condino, Constan, Coulouris, Cushingberry, Dean, Farrah, Hammel, Hammon, Hansen, Hildenbrand, Hood, Hopgood, Rick Jones, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Marleau, Mayes, McDowell, Meekhof, Melton, Opsommer, Palmer, Pearce, Polidori, Proos, Schuitmaker, Scott, Shaffer, Spade, Stahl, Tobocman, Young, Vagnozzi, Valentine, Warren, Wojno, Knollenberg and Leland offered the following resolution:

House Resolution No. 200.

A resolution recognizing October 7-13, 2007, as Michigan Fire Prevention Week in the state of Michigan.

Whereas, The state of Michigan is committed to ensuring the safety and security of all those living in and visiting our state; and

Whereas, Fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

Whereas, The nonprofit National Fire Protection Association (NFPA) has documented, through its research, that home fires killed 3,030 people in the U.S. in 2005. It kills roughly eight people every day; and

Whereas, Michigan's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

Whereas, Michigan's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire; and

Whereas, Residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

Whereas, The national 2007 Fire Prevention Week theme, "It's Fire Prevention Week — Practice Your Escape Plan" effectively serves to remind us all of the simple actions we can take to stay safe from fire during Fire Prevention Week and year-round; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize October 7-13, 2007 as Michigan Fire Prevention Week throughout the state of Michigan. In special recognition, we urge all the people of Michigan to heed the important safety messages of Fire Prevention Week 2007, and to support the many public safety activities and efforts of Michigan's fire and emergency services.

Pending the reference of the resolution to a committee,
Rep. Tobocman moved that Rule 71 be suspended and the resolution be considered at this time.
The motion prevailed, 3/5 of the members present voting therefor.
The question being on the adoption of the resolution,
The resolution was adopted.

Reps. Valentine, Accavitti, Angerer, Bauer, Bennett, Bieda, Brandenburg, Brown, Byrnes, Byrum, Clack, Condino, Constan, Coulouris, Cushingberry, Dean, Farrah, Hammel, Hammon, Hood, Hopgood, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Mayes, McDowell, Melton, Polidori, Sak, Scott, Spade, Tobocman, Vagnozzi, Young, Warren, Wojno and Leland offered the following resolution:

House Resolution No. 201.

A resolution to memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP).

Whereas, Since 1997, the State Children's Health Insurance Program (SCHIP) has provided health insurance for children under age 19 from low income families who are not eligible for Medicaid. The program allocated over \$40 billion for SCHIP through 2007 to states that provided matching funds to plan a SCHIP program, to expand their Medicaid program, or to implement a combined program relying on Medicaid and separate private plans; and

Whereas, The compromise SCHIP bill passed by Congress was vetoed by President Bush. This bipartisan measure would have reauthorized the program and added \$35 billion over the next five years to cover 10 million children, including the 6.6 million currently covered and 4 million additional uninsured children; and

Whereas, The number of uninsured children declined by 26.6%, resulting in nearly 79,000 more children having health care coverage than ten years ago. MI Child has operated in conjunction with the Medicaid program to provide a much-needed safety net for Michigan's children; and

Whereas, An override of this veto is crucial to providing access to health care for millions of children. Expansion of this successful program is long overdue and strongly supported by the American people. Politics and misplaced priorities should not supersede a bipartisan solution to protect the health and lives of our most vulnerable citizens – innocent children; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP); 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. Dean, Accavitti, Angerer, Bauer, Bieda, Brandenburg, Brown, Byrnes, Clack, Condino, Constan, Coulouris, Cushingberry, Farrah, Hammel, Hammon, Hood, Hopgood, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Mayes, McDowell, Melton, Polidori, Sak, Scott, Spade, Tobocman, Vagnozzi, Valentine, Young, Warren, Wojno and Leland offered the following concurrent resolution:

House Concurrent Resolution No. 51.

A concurrent resolution to memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP).

Whereas, Since 1997, the State Children's Health Insurance Program (SCHIP) has provided health insurance for children under age 19 from low income families who are not eligible for Medicaid. The program allocated over \$40 billion for SCHIP through 2007 to states that provided matching funds to plan a SCHIP program, to expand their Medicaid program, or to implement a combined program relying on Medicaid and separate private plans; and

Whereas, The compromise SCHIP bill passed by Congress was vetoed by President Bush. This bipartisan measure would have reauthorized the program and added \$35 billion over the next five years to cover 10 million children, including the 6.6 million currently covered and 4 million additional uninsured children; and

Whereas, The number of uninsured children declined by 26.6%, resulting in nearly 79,000 more children having health care coverage than ten years ago. MI Child has operated in conjunction with the Medicaid program to provide a much-needed safety net for Michigan's children; and

Whereas, An override of this veto is crucial to providing access to health care for millions of children. Expansion of this successful program is long overdue and strongly supported by the American people. Politics and misplaced priorities should not supersede a bipartisan solution to protect the health and lives of our most vulnerable citizens – innocent children; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the United States Congress to override the President's veto of the State Children's Health Insurance Program (SCHIP); 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 Health Policy.

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 Thursday, October 4:

Senate Bill No. 819

The Clerk announced that the following Senate bills had been received on Thursday, October 4:

Senate Bill Nos. 278 280 283

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, October 9:

Senate Bill No. 820

Reports of Standing Committees

The Committee on Senior Health, Security, and Retirement, by Rep. Robert Jones, Chair, reported

House Bill No. 4819, entitled

A bill to prescribe the senior medical alert as the official response to reports of certain missing persons; to provide for the broadcast of information regarding those incidents; and to provide for certain civil immunity.

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. Robert Jones, Hopgood, Lemmons, Warren, Ball, Green, Sheen and Stahl

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 9, 2007

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

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 4443, entitled

A bill to prohibit expenditures of state funds on activities that interfere with or discourage unionization; and to prescribe penalties.

With the recommendation that the bill be referred to the Committee on Labor.

Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Labor.

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 4770, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 2a (MCL 125.1502a), as added by 1999 PA 245, and by adding section 10a.

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. Meisner, Robert Jones, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe and Meltzer

Nays: Reps. Accavitti, Byrum, Clemente, Johnson and Knollenberg

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 4771, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 19.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe and Meltzer

Nays: Reps. Accavitti, Byrum, Clemente, Johnson and Knollenberg

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 4772, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a and 601 (MCL 339.303a and 339.601), section 303a as amended by 2006 PA 489 and section 601 as amended by 2005 PA 278, and by adding article 28; and to repeal acts and parts of acts.

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. Meisner, Robert Jones, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe and Meltzer

Nays: Reps. Accavitti, Byrum, Clemente, Johnson and Knollenberg

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 9, 2007

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Tuesday, October 9, 2007

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

Absent: Rep. Green

Excused: Rep. Green

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 27, 2007

Present: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Moss and Nofs

Absent: Reps. Tobocman, Vagnozzi and Agema

Excused: Reps. Tobocman, Vagnozzi and Agema

Messages from the Senate**House Bill No. 4956, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, 4107, 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, 289.4107, 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 1109, 3119, 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2000 PA 92, entitled "An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts," by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, and 4107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, and 289.4107), sections 1109 and 3119 as amended by 2002 PA 487; and to repeal acts and parts of acts.

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

Senate Bill No. 278, entitled

A bill to promote the availability and affordability of health coverage in this state and to facilitate the purchase of that coverage; to create the Michigan helping ensure affordable and reliable treatment exchange and board; to provide for a determination of eligible health coverage plans; to provide for a determination of eligibility for assistance of certain enrollees; to prescribe certain powers and duties of certain officials and departments of this state; to provide for certain funds; to provide for the collection and disbursement of certain payments and surcharges; and to provide for certain reports.

The Senate has passed the bill.

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

Senate Bill No. 280, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding sections 409b and 419c.

The Senate has passed the bill.

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

Senate Bill No. 283, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3519 (MCL 500.3519), as amended by 2005 PA 306, and by adding sections 2264b and 3406s.

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 communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

October 3, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 2:44 P.M. this date, administrative rule (07-10-01) for the Department of Education, Entitled "*Teachers' Tenure*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

October 3, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 2:46 P.M. this date, administrative rule (07-10-02) for the Department of Environmental Quality, Entitled "*Part 6. Emission Limitations and Prohibitions - Existing Sources of Volatile Organic Compounds Emissions*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

The communications were referred to the Clerk.

Introduction of Bills

Reps. Farrah and Accavitti introduced

House Bill No. 5274, entitled

A bill to amend 1965 PA 285, entitled "Private detective license act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 16, 17, 19, 20, 22, 24, 27, and 29 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.828, 338.830, 338.834, 338.836, 338.837, 338.839, 338.840, 338.842, 338.844, 338.847, and 338.849), sections 1, 2, 3, 4, 5, 6, 7, 10, 14, 16, 17, 20, 22, 24, and 27 as amended by 2002 PA 474.

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

Rep. Lemmons introduced

House Bill No. 5275, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5827 (MCL 600.5827). The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Lemmons introduced

House Bill No. 5276, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2006 PA 508.

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

Rep. LeBlanc introduced

House Bill No. 5277, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2841 (MCL 333.2841).

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

Rep. LeBlanc introduced

House Bill No. 5278, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13k of chapter XVII (MCL 777.13k), as added by 2002 PA 30.

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

Announcements by the Clerk

October 5, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Lansing Community College, October 2007.

Richard J. Brown
Clerk of the House

Rep. Brandenburg moved that the House adjourn.
The motion prevailed, the time being 3:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 10, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives