

No. 120
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House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Wednesday, November 7, 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—excused	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—excused	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—present	Meadows—present	Simpson—present
Byrnes—excused	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Bill Huizenga, from the 90th District, offered the following invocation:

“Dear Lord and Father, we ask that You be with us this day, that You be with this chamber as we deliberate and discuss. Lord, we ask that You give us patience and understanding, grace and insight. Lord, we pray that You be with our decisions, that they be the best decisions for the people of the state of Michigan. I pray Your presence in this chamber and in this building and, Lord, in our hearts and in our minds as we make those decisions. Forgive us, Lord, when we are petty with each other or unfair or mean. Lord, we just pray that You bless our relationships and that we reflect You in those relationships and we ask Your forgiveness when we do not. We also ask for protection and blessings upon our troops, both here and overseas. We thank You for the sacrifice that they make, that their families make and Lord, we ask for protection for them and that Your hands may surround them and that You may deliver them home safely. Continue to be with our family members as we go through these processes, Lord. Also give our spouses and children patience and understanding as we move forward and do our jobs. In Your Son’s holy name, Amen.”

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

Rep. Tobocman moved that Reps. Byrnes, Dillon and Farrah be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4557, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 438 (MCL 206.438), as added by 2004 PA 364.

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

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

Rep. LeBlanc moved to substitute (H-2) the bill.

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

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

The motion prevailed.

House Bill No. 4532, entitled

A bill to prohibit employers from making employment decisions based upon certain conduct that is unrelated to employment; and to provide remedies.

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

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

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

The motion prevailed.

House Bill No. 4887, entitled

A bill to prohibit employers from making certain recruiting or hiring decisions based upon an individual’s credit history; to prohibit employers from making certain inquiries; to prohibit certain waivers; to prohibit retaliation; and to provide remedies.

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

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

Rep. Meadows moved to amend the bill as follows:

1. Amend page 2, line 13, after “bank” by inserting a comma and “bank holding company or its affiliates or subsidiaries”.

2. Amend page 2, line 14, after “union” by inserting “or credit union affiliates or subsidiaries”.

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

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

The motion prevailed.

House Bill No. 4926, entitled

A bill to prohibit employers from making employment decisions based upon certain physical characteristics or fitness; to prohibit retaliation; and to provide remedies.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4927, entitled

A bill to prohibit employers from making employment decisions based upon certain factors that are unrelated to employment; to prohibit certain inquiries; to prohibit retaliation; and to provide remedies.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5355**.

(For first notice see House Journal No. 119, p. 2227.)

The question being on the motion made by Rep. Tobocman,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 794**.

(For first notice see House Journal No. 119, p. 2227.)

The question being on the motion made by Rep. Tobocman,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 799**.

(For first notice see House Journal No. 119, p. 2227.)

The question being on the motion made by Rep. Tobocman,

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

The bill was placed on the order of Second Reading of Bills.

Reports of Standing Committees

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

House Resolution No. 228.

A resolution to memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act.

(For text of resolution, see House Journal No. 119, p. 2218.)

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. Warren, Donigan, Ebli, Griffin, Leland, Meadows, Miller, Valentine, Palmer, Moolenaar, Meekhof and Agema

Nays: None

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

House Concurrent Resolution No. 56.

A concurrent resolution to memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act.

(For text of concurrent resolution, see House Journal No. 119, p. 2218.)

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. Warren, Donigan, Ebli, Griffin, Leland, Meadows, Miller, Valentine, Palmer, Moolenaar, Meekhof and Agema

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, November 7, 2007

Present: Reps. Warren, Donigan, Ebli, Griffin, Leland, Meadows, Miller, Valentine, Robertson, Palmer, Moolenaar, Meekhof and Agema

Absent: Reps. Kathleen Law and Emmons

Excused: Reps. Kathleen Law and Emmons

The Speaker laid before the House

House Resolution No. 228.

A resolution to memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act.

(For text of resolution, see House Journal No. 119, p. 2218.)

(The resolution was reported by the Committee on Great Lakes and Environment on November 7, consideration of which, under the rules, was postponed until November 8.)

Rep. Angerer 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.

The Speaker laid before the House

House Concurrent Resolution No. 56.

A concurrent resolution to memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act.

(For text of concurrent resolution, see House Journal No. 119, p. 2218.)

(The concurrent resolution was reported by the Committee on Great Lakes and Environment on November 7, consideration of which, under the rules, was postponed until November 8.)

Rep. Angerer moved that Rule 71 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

Rep. Angerer 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

Reps. Robert Jones, Hoogendyk, Griffin, Leland, Gonzales, Polidori, Donigan, Brown, Espinoza, Lindberg, Valentine, Bennett, Bauer, Meadows, Byrum, Simpson, Young, Alma Smith, Warren, Melton, Hammel, Scott, Virgil Smith, Dean, Lemmons, Hood, Clack, Cheeks, Johnson, Coulouris, LeBlanc, Schuitmaker, Huizenga, Farrah, Ward, Rick Jones, Steil, Wenke, Horn, LaJoy, Ebli, Condino, Booher, Constan, Cushingberry, Green, Hammon, McDowell, Proos, Sak, Shaffer, Sheltrown and Spade offered the following resolution:

House Resolution No. 229.

A resolution designating November 10-16, 2007, as Promise Week in the state of Michigan.

Whereas, The Kalamazoo Promise scholarship program was announced approximately two years ago; and

Whereas, The Kalamazoo Promise provides Kalamazoo Public School graduates with the opportunity to obtain post-secondary education, at any state of Michigan institution of higher learning, with up to a 100 percent tuition scholarship; and

Whereas, The state of Michigan and the Greater Kalamazoo community recognize the importance of student success and educational excellence in creating vitality and economic development for the entire state; and

Whereas, A strong correlation has been documented between educational attainment and a community's quality of life; and

Whereas, The Kalamazoo Promise not only dramatically intensifies the Kalamazoo area's focus on and commitment to education, it also supports Governor Granholm's emphasis on the need for greater higher education opportunity; and

Whereas, The state is grateful to the generous anonymous donors who made the Kalamazoo Promise possible. We also recognize the responsibility of every citizen to take ownership of, and build on the promise of, educational success and community vitality; and

Whereas, The week of November 10-16, 2007 has been set aside as Promise Week to highlight and foster the work of Kalamazoo community task forces in the areas of student success, educational excellence, community vitality, and economic development. We also encourage other Michigan communities to create similar higher educational opportunities; and

Whereas, The Promise has been credited with a rise in housing prices within the school district, increased interest from developers, growth in enrollment for Kalamazoo's public schools and an increase in Kalamazoo public high school graduates who attend college; and

Whereas, During Promise Week several Kalamazoo community conversations will be held to discuss topics relating to "Connecting Business and Education to Build a Stronger Workforce," "It Takes an Art Village," and "Sharing the Secret: How We Market Ourselves as a Community," all of which demonstrate the impact of the Promise on the greater region, and the ways in which individual citizens can get involved in ensuring the success of the Promise; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate November 10-16, 2007, as Promise Week in the state of Michigan; and be it further

Resolved, That we applaud the Kalamazoo Promise and its ensuing positive benefits, including a highly educated citizenry and increased economic development, both within the Kalamazoo Community and the Southwest Michigan region. We encourage communities throughout our Great Lake State to observe Promise Week, by promoting a dialogue on the ways that similar programs may be implemented in communities throughout Michigan, and encourage ways in which we are able to build on the promise of a greater Kalamazoo for all of our youth and communities in Michigan through personal involvement and commitment.

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. Sheltrown, Walker, Stahl, Casperson, Meekhof, Lahti, McDowell, Lindberg, Clemente, LeBlanc, Griffin, Simpson, Brown, Espinoza, Ebli, Angerer, Mayes, Farrah, Ward, Wenke, Steil, Brandenburg, Pastor, Horn, Hoogendyk, Palsrok, Hildenbrand, Palmer, Acciavatti, Emmons, Booher, Pearce, Hansen, Sheen, Moore, Gillard, Elsenheimer, Ball, Clack, Cushingberry, Dean, Gonzales, Green, Hammon, Rick Jones, Robert Jones, Lemmons, Nitz, Polidori, Proos, Sak, Shaffer, Spade and Vagnozzi offered the following resolution:

House Resolution No. 230.

A resolution to encourage the federal government to remove the double-crested cormorant from the list of protected species under the Migratory Bird Treaty Act of 1918.

Whereas, The Migratory Bird Treaty Act, a domestic law, was enacted to implement international conventions between the United States and Canada, Japan, Russia, and Mexico. In 1972, the cormorant was added to the convention between Mexico and the United States and subsequently to the federal act because its numbers had declined significantly due to pollution in the Great Lakes; and

Whereas, In the past 15 years, the populations of double-crested cormorants have exceeded acceptable levels and are disrupting the ecosystem in many areas of the Great Lakes region and beyond. Once an uncommon species, the birds can now be found throughout the Great Lakes. The double-crested cormorant's numbers are at historic highs in the Great Lakes region, with an estimated population of greater than 600,000 birds in 2005; and

Whereas, The return of double-crested cormorants to such high numbers has brought significant problems, especially to commercial fishing and the Michigan economy. The double-crested cormorant feeds on small fish, including fry. The cormorant population has caused significant devastation to Michigan's Les Cheneaux Islands, destroying vegetation and depleting the yellow perch population. Due to the decline in recreational fishing opportunities, several businesses have had to close, causing undue hardship on the local economy; and

Whereas, There is also a large and growing population of double-crested cormorants in the Ludington area along Lake Michigan. The Little Manistee, Manistee, and Pere Marquette Rivers all enter Lake Michigan in this area. These rivers provide some of the best steelhead, salmon, and walleye spawning rivers in northern Michigan. Each adult cormorant can consume 1.0 to 1.5 pounds of fish per day, including small steelhead, salmon, and walleye. Cormorants have established a nesting ground on the Consumers Energy Ludington Pump Storage Facility breakwall, historic lighthouses, the Beaver Island Archipelago, and many other islands in and around the Great Lakes, causing environmental damage and depleting the local fish population; and

Whereas, The United States Department of Agriculture has undertaken limited pilot projects in Michigan to control double-crested cormorant populations. While these initial projects have shown some success in controlling cormorants, the nonlethal controls used in these projects just touch the surface of the cormorant problem in Michigan. The Les Cheneaux pilot project called for killing just 15 percent of the nesting adult birds. Adult cormorants typically lay three to six eggs each year; and

Whereas, The need for protection initially established in 1972 is no longer relevant and, in fact, hinders efforts to control double-crested cormorant overpopulation. By removing the double-crested cormorant from the protection of the Migratory Bird Treaty Act, states can take over management of the birds, ensuring a population that is acceptable to the resources of the individual states; now, therefore, be it

Resolved by the House of Representatives, That we encourage the federal government to remove the double-crested cormorant from the list of protected species under the Migratory Bird Treaty Act of 1918; 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, the members of the Michigan congressional delegation, and the Director of the United States Fish and Wildlife Service.

The resolution was referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reps. Elsenheimer, Palsrok, Walker, Ball, Booher, Brandenburg, Casperson, Caswell, Constan, Dean, Green, Hammon, Horn, Rick Jones, Robert Jones, David Law, Lemmons, McDowell, Nitz, Opsommer, Palmer, Proos, Rocca, Sak, Shaffer and Sheltroun offered the following resolution:

House Resolution No. 231.

A resolution to condemn the statements by Governor Bill Richardson that water should be diverted from water-plentiful states.

Whereas, Michigan and the other Great Lakes states' economies and quality of life are predicated upon their water resources. The Great Lakes region relies on its water to support over 35 million people, world-class manufacturing, power generation, a vibrant recreational and tourism industry, and a diverse and productive farming community. Shipping on the Great Lakes connects the American Midwest to the rest of the world; and

Whereas, New Mexico Governor and current presidential candidate Bill Richardson recently implied that Great Lakes water should be sent to growing western states with insufficient water supplies. Governor Richardson stated that he would pursue a national water policy and that Great Lakes states are "awash in water"; and

Whereas, Diverting water from the Great Lakes to western states would inevitably lead to less water to support the people, farms, and industries of the Great Lakes region, increase costs to live and do business in the region, and place at risk water-dependent natural resources. The impact of current Great Lakes low water levels on commercial shipping and recreational boating demonstrate how important it is to retain water in the Great Lakes; and

Whereas, Based on current low water levels and uncertainty over future Great Lakes water levels, any suggestion of diverting Great Lakes water to western states is inappropriate. Diversions to western states would essentially favor economic development and growth in one area of the country at the expense of another; now, therefore, be it

Resolved by the House of Representatives, That we condemn the statements by Governor Bill Richardson that water should be diverted from water-plentiful states.

The resolution was referred to the Committee on Great Lakes and Environment.

Reps. Walker, Booher, Hansen, Casperson, Meekhof, Huizenga, Proos, Elsenheimer, Palsrok, Hildenbrand, Ward, Farrah, LaJoy, Rick Jones, Stahl, Moolenaar, Pastor, Agema, Calley, Moss, Marleau, Ball, Acciavatti, Emmons, Pearce, Caswell, Moore, Garfield, Gillard, McDowell, Lahti, Nofs, Hoogendyk, Brandenburg, Brown, Cushingberry, Dean, Hammon, Lemmons, Nitz, Opsommer, Palmer, Shaffer and Simpson offered the following concurrent resolution:

House Concurrent Resolution No. 57.

A concurrent resolution to encourage the federal government to remove the double-crested cormorant from the list of protected species under the Migratory Bird Treaty Act of 1918.

Whereas, The Migratory Bird Treaty Act, a domestic law, was enacted to implement international conventions between the United States and Canada, Japan, Russia, and Mexico. In 1972, the cormorant was added to the convention between Mexico and the United States and subsequently to the federal act because its numbers had declined significantly due to pollution in the Great Lakes; and

Whereas, In the past 15 years, the populations of double-crested cormorants have exceeded acceptable levels and are disrupting the ecosystem in many areas of the Great Lakes region and beyond. Once an uncommon species, the birds can now be found throughout the Great Lakes. The double-crested cormorant's numbers are at historic highs in the Great Lakes region, with an estimated population of greater than 600,000 birds in 2005; and

Whereas, The return of double-crested cormorants to such high numbers has brought significant problems, especially to commercial fishing and the Michigan economy. The double-crested cormorant feeds on small fish, including fry. The cormorant population has caused significant devastation to Michigan's Les Cheneaux Islands, destroying vegetation and depleting the yellow perch population. Due to the decline in recreational fishing opportunities, several businesses have had to close, causing undue hardship on the local economy; and

Whereas, There is also a large and growing population of double-crested cormorants in the Ludington area along Lake Michigan. The Little Manistee, Manistee, and Pere Marquette Rivers all enter Lake Michigan in this area. These rivers provide some of the best steelhead, salmon, and walleye spawning rivers in northern Michigan. Each adult cormorant can consume 1.0 to 1.5 pounds of fish per day, including small steelhead, salmon, and walleye. Cormorants have established a nesting ground on the Consumers Energy Ludington Pump Storage Facility breakwall, historic lighthouses, the Beaver Island Archipelago, and many other islands in and around the Great Lakes, causing environmental damage and depleting the local fish population; and

Whereas, The United States Department of Agriculture has undertaken limited pilot projects in Michigan to control double-crested cormorant populations. While these initial projects have shown some success in controlling cormorants, the nonlethal controls used in these projects just touch the surface of the cormorant problem in Michigan. The Les Cheneaux pilot project called for killing just 15 percent of the nesting adult birds. Adult cormorants typically lay three to six eggs each year; and

Whereas, The need for protection initially established in 1972 is no longer relevant and, in fact, hinders efforts to control double-crested cormorant overpopulation. By removing the double-crested cormorant from the protection of the Migratory Bird Treaty Act, states can take over management of the birds, ensuring a population that is acceptable to the resources of the individual states; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we encourage the federal government to remove the double-crested cormorant from the list of protected species under the Migratory Bird Treaty Act of 1918; 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, the members of the Michigan congressional delegation, and the Director of the United States Fish and Wildlife Service.

The concurrent resolution was referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, November 7, for her approval of the following bill:

Enrolled House Bill No. 4725 at 11:20 a.m.

The Clerk announced that the following bill and joint resolution had been printed and placed upon the files of the members on Wednesday, November 7:

House Bill No. 5410

House Joint Resolution EE

The Clerk announced that the following Senate bills and joint resolution had been received on Wednesday, November 7:

Senate Bill Nos. 682 838

Senate Joint Resolution I

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Bill No. 5383, entitled

A bill to provide for the member-regulation of electric cooperatives; to prescribe the powers and duties of certain state agencies and officials; and to provide for certain penalties and remedies.

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

Nays: None

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Bill No. 5384, entitled

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending sections 3, 5, 6, 9, 11, 21, 24, 31, 34, 36, 37, 43, and 44 (MCL 460.803, 460.805, 460.806, 460.809, 460.811, 460.821, 460.824, 460.831, 460.834, 460.836, 460.837, 460.843, and 460.844), section 5 as amended by 2002 PA 513 and section 44 as amended by 2002 PA 532, and by adding section 33a.

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

Nays: None

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, November 7, 2007

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

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

Senate Bill No. 111, entitled

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending section 41 (MCL 125.1041).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 7, 2007

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

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

House Bill No. 5292, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

With the recommendation that the bill be referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Corriveau, Meadows, Meisner, Warren, Schuitmaker and Elsenheimer

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Intergovernmental, Urban and Regional Affairs.

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

House Bill No. 5293, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2978.

With the recommendation that the bill be referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Corriveau, Meadows, Meisner, Warren, Schuitmaker and Elsenheimer

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Intergovernmental, Urban and Regional Affairs.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 7, 2007

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

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 4730, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

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. Farrah, Scott, Meadows, Virgil Smith, Wojno, Palsrok, Gaffney and Ward

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

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.

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. Farrah, Scott, Virgil Smith, Wojno, Marleau, Palsrok, Gaffney and Ward

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 5341, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

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. Farrah, Scott, Meadows, Virgil Smith, Wojno, Palsrok and Gaffney

Nays: Rep. Ward

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrah, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, November 7, 2007

Present: Reps. Farrah, Scott, Meadows, Virgil Smith, Wojno, Marleau, Palsrok, Gaffney and Ward

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

House Bill No. 5409, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 451.

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, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Pastor, Palmer, Wenke and Calley

Nays: None

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

Senate Bill No. 845, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 3d (MCL 205.93 and 205.93d), section 3 as amended by 2007 PA 103.

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

Nays: None

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, November 7, 2007

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, November 7, 2007

Present: Reps. Clack, Dean, Hammon, Wojno, Stahl and Hoogendyk

Absent: Reps. Accavitti, Sheen and Palmer

Excused: Reps. Accavitti, Sheen and Palmer

Messages from the Senate**House Bill No. 4494, entitled**

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

The Senate has amended the bill as follows:

1. Amend page 6, following line 1, by inserting:

“REPEALER

Sec. 1001. Section 724 of 2007 PA 131 is repealed.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

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, 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. 682, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 1301, 8302, 8303, 8310, 8317, 8325, and 8715 (MCL 324.1301, 324.8302, 324.8303, 324.8310, 324.8317, 324.8325, and 324.8715), section 1301 as amended by 2004 PA 381, section 8302 as amended by 2002 PA 418, section 8303 as amended by 2004 PA 24, section 8310 as amended by 2004 PA 325, section 8317 as amended by 2007 PA 78, and section 8715 as amended by 2000 PA 100, and by adding section 8310a.

The Senate has passed the bill.

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

Senate Bill No. 838, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by repealing section 3d (MCL 205.93d).

The Senate has passed the bill.

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

Senate Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 1 and 6 of article II, sections 2 and 3 of article IV, and section 6 of article IX and by repealing section 10 of article II and sections 4, 5, and 6 of article IV, to repeal constitutional provisions that have been declared unconstitutional.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Steil, Wenke, Rick Jones, Coulouris, Hildenbrand, Green and Stahl introduced

House Bill No. 5411, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1312a.

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

Reps. Bieda, Condino and Wenke introduced

House Bill No. 5412, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 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. Bieda, Condino and Wenke introduced

House Bill No. 5413, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111).

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

Reps. Young, Miller, Griffin, Cushingberry, Robert Jones and Clack introduced

House Bill No. 5414, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 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, Gaffney, Palsrok, Hansen, Opsommer, Accavitti, Spade, LeBlanc, Steil, Polidori, Mayes, Rocca, Meekhof, Nitz, Nofs, Agema, Stahl, Huizenga, Pastor, Elsenheimer, Wojno, LaJoy, David Law, Wenke, Horn, Bieda, Sheltroun, Espinoza, Garfield, Calley, Moss, Ball, Booher, Walker and Moore introduced

House Bill No. 5415, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 387 (MCL 750.387), as amended by 1998 PA 311.

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

Reps. Mayes, Gaffney, Palsrok, Hansen, Opsommer, Accavitti, Spade, LeBlanc, Steil, Polidori, Rick Jones, Rocca, Meekhof, Nofs, Agema, Stahl, Huizenga, Pastor, Elsenheimer, Wojno, LaJoy, David Law, Wenke, Horn, Nitz, Bieda, Sheltroun, Espinoza, Garfield, Calley, Moss, Ball, Booher, Walker and Moore introduced

House Bill No. 5416, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2005 PA 106.

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

Reps. Lahti, Sheltroun, McDowell, Lindberg and Casperson introduced

House Bill No. 5417, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111).

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

Rep. Moolenaar introduced

House Bill No. 5418, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 676c.

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

Rep. Lemmons introduced

House Bill No. 5419, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2002 PA 472.

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

Reps. Cheeks, Corriveau, Scott, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5420, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2109, 2115, 2403, and 2603 (MCL 500.2109, 500.2115, 500.2403, and 500.2603), section 2115 as amended by 1980 PA 461 and section 2403 as amended by 1993 PA 200.

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

Reps. Scott, Corriveau, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5421, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 2003 PA 216.

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

Reps. Hood, Corriveau, Scott, Virgil Smith, Leland, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5422, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2118 and 2120 (MCL 500.2118 and 500.2120), section 2118 as amended by 2002 PA 492 and section 2120 as amended by 1984 PA 350.

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

Reps. Polidori, Corriveau, Scott, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5423, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2112 (MCL 500.2112), as amended by 1980 PA 461.

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

Reps. Dean, Corriveau, Scott, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman and Condino introduced

House Bill No. 5424, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 1241.

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

Reps. Corriveau, Scott, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5425, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3340 (MCL 500.3340), as amended by 1986 PA 10.

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

Reps. Farrah, Corriveau, Scott, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Robert Jones, Young, Lemmons, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5426, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2128.

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

Reps. Lemmons, Corriveau, Scott, Virgil Smith, Byrnes, Leland, Hood, Johnson, Melton, Constan, Robert Jones, Young, Farrah, Coulouris, Alma Smith, Polidori, Vagnozzi, Tobocman, Condino and Dean introduced

House Bill No. 5427, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2128a.

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

Reps. Leland, Corriveau, Scott, Virgil Smith, Byrnes, Hood, Johnson, Melton, Constan, Young, Lemmons, Farrah, Coulouris, Alma Smith, Polidori, Tobocman, Condino and Dean introduced

House Bill No. 5428, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 3. The bill was read a first time by its title and referred to the Committee on Insurance.

Rep. David Law introduced

House Joint Resolution FF, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 19 of article VI, to raise the retirement age of judges.

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

Reps. Miller, Alma Smith, Tobocman, Vagnozzi, Meisner, Polidori and Accavitti introduced

House Joint Resolution GG, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to clarify the power of referendum when making appropriations.

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

Rep. Wenke moved that the House adjourn.

The motion prevailed, the time being 3:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, November 8, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

