

No. 28  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
94th Legislature  
REGULAR SESSION OF 2008

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House Chamber, Lansing, Wednesday, March 19, 2008.

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

e/d/s = entered during session

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

“Almighty God,

We ask that You attend this session with Your presence. That we will humble ourselves to acknowledge You in all our ways. That we will trust in Your ways and now our own. That we will not rely on our own understanding but trust in Your word. We need wisdom to do that which will lead the citizens of Michigan into true blessings. Let Your agenda be on our hearts to do Your will. We ask that we will respect one another as we are in Your image. Let our words be few but true. In Jesus Christ we ask this, Amen.”

Rep. Rocca moved that Rep. Ball be excused from today’s session.  
The motion prevailed.

### Second Reading of Bills

#### House Bill No. 5779, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 34 (MCL 42.34), as amended by 2003 PA 300.

The bill was read a second time.

Rep. Pastor moved to amend the bill as follows:

1. Amend page 4, following line 24, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5647 of the 94th Legislature is enacted into law.”.

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

Rep. Meadows moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5779, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 34 (MCL 42.34), as amended by 2003 PA 300.

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

#### Roll Call No. 195

#### Yeas—101

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Bauer

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc

Polidori  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott

Bennett	Farrah	Leland	Shaffer
Bieda	Gaffney	Lemmons	Sheen
Booher	Gillard	Lindberg	Sheltrown
Brandenburg	Gonzales	Marleau	Simpson
Brown	Griffin	Mayes	Smith, Alma
Byrnes	Hammel	McDowell	Smith, Virgil
Byrum	Hammon	Meadows	Spade
Calley	Hansen	Meekhof	Stahl
Casperson	Hildenbrand	Meisner	Stakoe
Caswell	Hood	Melton	Steil
Caul	Hoogendyk	Meltzer	Tobocman
Cheeks	Hopgood	Miller	Vagnozzi
Clack	Horn	Moolenaar	Valentine
Clemente	Huizenga	Moore	Walker
Condino	Hune	Moss	Ward
Constan	Jackson	Nofs	Warren
Corriveau	Johnson	Palmer	Wenke
Coulouris	Jones, Rick	Palsrok	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean			

### Nays—8

DeRoche	Green	Opsommer	Pavlov
Garfield	Nitz	Pastor	Proos

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.

### Second Reading of Bills

#### House Bill No. 5859, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9b (MCL 117.9b), as added by 1982 PA 465.

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5859, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9b (MCL 117.9b), as added by 1982 PA 465.

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

**Roll Call No. 196****Yeas—100**

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

**Nays—9**

Brandenburg	Green	Opsommer	Pavlov
DeRoche	Nitz	Pastor	Proos
Garfield			

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.

**Second Reading of Bills****Senate Bill No. 1135, entitled**

A bill to provide for the establishment of zoological authorities; to provide powers and duties of a zoological authority; to authorize the levy of a property tax by a zoological authority; and to provide for the powers and duties of certain government officials.

The bill was read a second time.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 5, line 12, after “county” by inserting “voting on the question of a tax”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 5, line 12, after “county” by striking out “approve the levy of a tax as provided under section 13” and inserting “voting on the question of a tax as provided in section 13 approve the tax”.

2. Amend page 5, line 27, after “only” by striking out “upon the approval of” and inserting “if”.

3. Amend page 6, line 2, after “election” by inserting “approve the tax”.

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

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1135, entitled

A bill to provide for the establishment of zoological authorities; to provide powers and duties of a zoological authority; to authorize the levy of a property tax by a zoological authority; and to provide for the powers and duties of certain government officials.

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

#### Roll Call No. 197

#### Yeas—92

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

#### Nays—17

Agema	Hoogendyk	Meekhof	Pavlov
Brandenburg	Knollenberg	Opsommer	Robertson
Emmons	LeBlanc	Palmer	Schuitmaker
Garfield	Marleau	Pastor	Sheen
Green			

In The Chair: Sak

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

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported  
**House Bill No. 5894, entitled**  
 A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as added by 2006 PA 29.  
 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. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk  
 Nays: None

### Second Reading of Bills

**House Bill No. 5894, entitled**  
 A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 34b (MCL 400.734b), as added by 2006 PA 29.  
 The bill was read a second time.

Rep. Hoogendyk moved to amend the bill as follows:  
 1. Amend page 15, following line 24, by inserting:  
 "Enacting section 1. This amendatory act does not take effect unless House Bill No. 5137 of the 94th Legislature is enacted into law."  
 The question being on the adoption of the amendment offered by Rep. Hoogendyk,  
 Rep. Hoogendyk demanded the yeas and nays.  
 The demand was supported.  
 The question being on the adoption of the amendment offered by Rep. Hoogendyk,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.  
 The motion prevailed.

Pending the Second Reading of  
**House Bill No. 5031, entitled**  
 A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43537 (MCL 324.43537), as amended by 1996 PA 585.  
 Rep. Tobocman moved that the bill be re-referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.  
 The motion prevailed.

Pending the Second Reading of  
**House Bill No. 5634, entitled**  
 A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a

board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 1 (MCL 125.1651), as amended by 2006 PA 659.

Rep. Tobocman moved that the bill be re-referred to the Committee on Intergovernmental, Urban and Regional Affairs. The motion prevailed.

By unanimous consent the House returned to the order of

### **Reports of Standing Committees**

The Speaker laid before the House

#### **House Resolution No. 304.**

A resolution to oppose the expenditure of any public funds for the purpose of clarifying or repeating any portion of the results of the Michigan presidential primary election conducted on January 15, 2008.

(For text of resolution, see House Journal No. 26, p. 503.)

(The resolution was reported by the Committee on Ethics and Elections on March 18, with an amendment, consideration of which, under the rules, was postponed until today.)

(For amendment, see House Journal No. 27, p. 516.)

The question being on the adoption of the proposed amendment recommended by the Committee,

The amendment was adopted, a majority of the members present voting therefor.

Rep. Pearce moved to amend the resolution as follows:

1. Amend the third Whereas clause, line 2, after “amount” by striking out “of \$10 million” and inserting “up to \$15 million for full cost recovery”.

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

Rep. David Law moved to substitute (H-1) the resolution as follows:

#### **Substitute for House Resolution No. 304.**

A resolution to call for Kwame M. Kilpatrick to resign as the Mayor of Detroit.

Whereas, The Detroit Declaration of Rights states that, “The people have a right to expect aggressive action by the city’s officers in seeking to advance, conserve, maintain, and protect the integrity of the human, physical, and natural resources of this city from encroachment and or dismantlement”; and

Whereas, On September 11, 2007, a Wayne County Circuit Court jury found that Mayor Kwame M. Kilpatrick had violated the state of Michigan’s Whistleblower Protection Act; and

Whereas, On October 23, 2007, the Detroit City Council approved a settlement based on an agreement presented to Council by the Mayor and the Law Department in the amount of \$8.4 million; and

Whereas, It became public knowledge that a confidential agreement had been agreed to without the Detroit City Council’s awareness or approval, which determined the outcome of the settlement; and

Whereas, The Detroit City Council, being desirous of receiving information concerning the confidentiality agreement, passed a resolution opposing the mayor’s appeal of Judge Colombo’s ruling to release all documents related to the settlement of the Whistleblower Lawsuit; and

Whereas, The Mayor and the city’s Law Department chose to appeal Judge Colombo’s ruling; and

Whereas, The Michigan Court of Appeals upheld Judge Colombo’s ruling and denied the Mayor and the Law Department’s request to withhold the settlement documents; and

Whereas, The Detroit City Council again passed a resolution opposing the Mayor and the Law Department’s appeal of Judge Colombo’s ruling to the Michigan State Supreme Court and urging the release of all documents related to the settlement of the Whistleblower Lawsuit; and

Whereas, The Mayor and the Law Department chose to appeal the Michigan Court of Appeals’ ruling by appealing to the Michigan State Supreme Court; and

Whereas, Once again, the Mayor and the Law Department’s appeal was denied and the Michigan State Supreme Court granted Judge Colombo the authority to release all documents related to the Whistleblower Lawsuit; and

Whereas, Documents were released that apparently confirmed the existence of a confidential agreement previously unknown to Council; and

Whereas, Over the past six months, Detroit has received embarrassing coverage nationally and internationally, which has caused the mayor to be absent from his duties for a prolonged period of time and absent from the public; and

Whereas, The turn of events involving the confidentiality agreement created by the Mayor and the Law Department has compromised the integrity of the city’s Law Department in its relation to the Detroit City Council; and



Whereas, Partly as a result of media exposes alleging that the Mayor perjured himself on the stand in the Whistleblower Lawsuit, the Wayne County Prosecutor announced an investigation into possible perjury charges against the Mayor; and

Whereas, The Detroit City Council had to approve the appointment of its own Special Counsel to represent its interests and to investigate the entire matter; and

Whereas, The Detroit City Council is undertaking an investigation that may call into question the professional ethics of the Mayor, his staff, the Corporation Counsel, and lawyers in the Law Department, as well as outside counsel. Such an investigation will, of necessity, raise concerns regarding the ability of the city of Detroit to function with Mayor Kilpatrick continuing to serve; and

Whereas, Mayor Kilpatrick repeatedly obfuscates the truth regarding documents in the settlement of the *Brown, Nelthrope* and *Harris* lawsuits, wherein he repeatedly claimed there were no secret documents and was very critical of news media, City Council and the highest courts in the state of Michigan for seeking disclosure of the documents and claimed to fighting on behalf of all litigants in the state of Michigan. Yet, when the documents were disclosed, he declared the documents to be “nothing” and did not constitute evidence of a cover-up. This position is so totally flawed both factually and legally that citizens across the city and state remain deeply troubled by Mayor Kilpatrick’s inability to discern the truth; and

Whereas, In light of the circumstances surrounding the *Brown, Nelthrope* and *Harris* settlements, the City Council will continue its legislative investigation into numerous legal and policy issues that have been brought to the fore; and

Whereas, The Mayor, during his tenure, has attempted and in some cases been successful in helping to revive the economic conditions of Detroit. However, those efforts have not translated into the improvement of the delivery of services to the residents of Detroit; and

Whereas, Mayor Kilpatrick spoke to the City Council on February 20, 2008, and stated that he was fully engaged and it was “business as usual,” and further stated the administration would provide documents the following Monday regarding a proposed sale of the Detroit side of the Detroit-Windsor tunnel. However, the documents provided to the Detroit City Council were merely a summary of prior proposals regarding a sale of the tunnel with a short paragraph about a potential new structure for the transaction; and

Whereas, The administration has been promising the City Council since the 2007 budget presentation that a transaction involving the Detroit side of the Detroit-Windsor Tunnel was forthcoming, would net the city \$58 million, and would resolve the city’s structural deficit. The transaction, however, appears to still be in preliminary stages and it is unlikely it will be completed during this fiscal year; and

Whereas, The administration’s failure under Mayor Kilpatrick’s leadership to timely file a Comprehensive Annual Financial Report with the Michigan Department of Treasury for fiscal years 2005/2006 and 2006/2007 has caused the state to withhold \$61 million in desperately needed revenue sharing funds from the city until a plan of action and timeline is presented to the state regarding the 2006/2007 CAFR; and

Whereas, The 2005/2006 CAFR identified numerous failings in the city’s internal controls, and reportable conditions and material weaknesses have increased dramatically during the Kilpatrick Administration; and

Whereas, The failure to timely file the 2005/2006 and 2006/2007 CAFR and the number of reportable conditions and material weaknesses has and continues to jeopardize the city’s ability to sell bonds and the city’s credit rating; and

Whereas, Mayor George L. Grace, President of the National Conference of Black Mayors (NCBM), publicly stated that the decision to move the annual meeting from Detroit to New Orleans was directly related to the text messaging scandal involving Mayor Kilpatrick and the NCBM’s desire to avoid publicity being focused on Mayor Kilpatrick and the scandal as opposed to the annual meeting; and

Whereas, The administration denies that the decision to move the NCBM annual meeting has anything to do with the current crisis in Detroit and has to do with “logistics” despite the President of NCBM’s statement to the contrary; and

Whereas, The move of the NCBM annual meeting caused the loss of substantial, greatly needed economic revenue to the city. It is an example of how the controversy involving Mayor Kilpatrick and his former Chief of Staff Christine Beatty has had far-reaching effects upon the reputation and economic health of the city. This provides clear evidence that it is not “business as usual” in the city; and

Whereas, On a daily basis, Detroit City Council members are engaged by citizens who are complaining about deficiencies in basic services, including streetlight outages, which resulted in the death of at least one young Detroit resident; water flowing through the streets of Detroit; slow or no response time by police; high water rates; fees for garbage pickup; and a host of other complaints and concerns; and

Whereas, While the Detroit City Council has tried to continue to function in a normal capacity, it has been very difficult under the present circumstances; and

Whereas, Detroit is currently experiencing the equivalent of a “constitutional crisis,” as there is a fundamental degradation in the city’s leadership, rooted in an apparently flagrant disregard for the rule of law and the sanctity of the Detroit City Charter; and

Whereas, Section 2-106 of the Detroit City Charter states, “The use of public office for private gain is prohibited,” and Section 2-6-61 of the Detroit Code of Ordinances states, “A public servant shall not engage in any act or omission in the discharge of his or her official duties for private gain”; and



Whereas, Section 2-6-62 of the Detroit Code of Ordinances states, “A public servant shall not use confidential information that is acquired in the course of his or her employment for private gain”; and

Whereas, There is an overwhelming and growing sentiment amongst citizens of Detroit that the City Council should stand firm against Mayor Kilpatrick and seek his resignation; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body call for Kwame M. Kilpatrick to resign as Mayor of the City of Detroit; and be it further

Resolved, That a copy of this resolution be transmitted to the Mayor of Detroit.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members present not voting therefor.

Rep. Meekhof moved that Rep. Pastor be excused temporarily from today’s session.  
The motion prevailed.

The question being on the adoption of the resolution,

Rep. Tobocman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

#### Roll Call No. 198

#### Yeas—108

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

Nays—0

In The Chair: Sak

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **Senate Bill No. 815**.

The motion prevailed, a majority of the members serving voting therefor.  
 The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 815, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 401 (MCL 484.1401), as amended by 2006 PA 249.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

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

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

#### Senate Bill No. 815, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 401 (MCL 484.1401), as amended by 2006 PA 249.

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

#### Roll Call No. 199

#### Yeas—108

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Miller	Steil

Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pavlov	Young

### Nays—0

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 amend 1986 PA 32, entitled “An act to provide for the establishment of emergency 9-1-1 districts; to provide for the installation, operation, modification, and maintenance of universal emergency 9-1-1 service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, service suppliers, and others; to create an emergency 9-1-1 service committee; to provide remedies and penalties; and to repeal acts and parts of acts,” by amending sections 401 and 408 (MCL 484.1401 and 484.1408), section 401 as amended by 2007 PA 164 and section 408 as amended by 2007 PA 165.

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.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### House Bill No. 5344, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi and Nofs

Nays: Reps. Acciavatti, Caswell, Shaffer, Amos, Booher, Caul, Proos, Agema and Moss

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### House Bill No. 5804, entitled

A bill to make appropriations for the department of history, arts and libraries for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi and Nofs

Nays: None

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 5807, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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. Cushingberry, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi and Hansen

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2008

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

**Second Reading of Bills****House Bill No. 5807, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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. Hansen moved to amend the bill as follows:

1. Amend page 20, following line 10, by inserting:

“Sec. 233. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5807, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

**Roll Call No. 200**

**Yeas—82**

Accavitti	Donigan	LaJoy	Rocca
Angerer	Ebli	Law, Kathleen	Sak
Bauer	Elsenheimer	LeBlanc	Schuitmaker
Bennett	Emmons	Leland	Scott
Bieda	Espinoza	Lemmons	Shaffer
Booher	Farrah	Lindberg	Sheltrown
Brown	Gaffney	Mayes	Simpson
Byrnes	Gillard	McDowell	Smith, Alma
Byrum	Gonzales	Meadows	Smith, Virgil
Casperson	Griffin	Meekhof	Spade
Caswell	Hammel	Meisner	Stahl
Cheeks	Hammon	Melton	Stakoe
Clack	Hansen	Miller	Tobocman
Clemente	Hood	Moolenaar	Vagnozzi
Condino	Hopgood	Moore	Valentine
Constan	Horn	Nitz	Walker
Corriveau	Jackson	Nofs	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pearce	Wojno
Dean	Jones, Robert	Polidori	Young
Dillon	Lahti		

**Nays—26**

Acciavatti	Garfield	Law, David	Pavlov
Agema	Green	Marleau	Proos
Amos	Hildenbrand	Meltzer	Robertson
Brandenburg	Hoogendyk	Moss	Sheen
Calley	Huizenga	Opsommer	Steil
Caul	Hune	Palmer	Ward
DeRoche	Knollenberg		

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.

### Second Reading of Bills

#### House Bill No. 5804, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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. Amos moved to amend the bill as follows:

1. Amend page 16, following line 23, by inserting:

“Sec. 229. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5804, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

#### Roll Call No. 201

#### Yeas—59

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

#### Nays—49

Acciavatti	Garfield	Marleau	Pearce
Agema	Green	Meekhof	Proos

Amos	Hansen	Meltzer	Robertson
Booher	Hildenbrand	Moolenaar	Rocca
Brandenburg	Hoogendyk	Moore	Schuitmaker
Calley	Horn	Moss	Shaffer
Casperson	Huizenga	Nitz	Sheen
Caswell	Hune	Nofs	Stahl
Caul	Jones, Rick	Opsommer	Steil
DeRoche	Knollenberg	Palmer	Walker
Elsenheimer	LaJoy	Palsrok	Ward
Emmons	Law, David	Pavlov	Wenke
Gaffney			

In The Chair: Sak

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

### Second Reading of Bills

The House returned to the consideration of  
**House Bill No. 5894, entitled**  
A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as added by 2006 PA 29.  
(The bill was considered earlier today, see today’s Journal, p. 554.)  
The question being on the adoption of the amendment offered previously by Rep. Hoogendyk,  
Rep. Hoogendyk withdrew the amendment.  
Rep. Jackson moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.  
Rep. Tobocman moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Third Reading of Bills

**House Bill No. 5894, entitled**  
A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending section 34b (MCL 400.734b), as added by 2006 PA 29.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 202

### Yeas—107

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Donigan	LaJoy	Proos
Agema	Ebli	Law, David	Robertson
Amos	Elsenheimer	Law, Kathleen	Rocca
Angerer	Emmons	LeBlanc	Sak
Bauer	Espinoza	Leland	Schuitmaker
Bennett	Farrar	Lemmons	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Garfield	Marleau	Sheen
Brandenburg	Gillard	Mayes	Sheltrown



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

### Nays—1

Hune

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4596, entitled

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending sections 6, 7, 8, and 25 (MCL 445.1656, 445.1657, 445.1658, and 445.1675), sections 6, 7, and 8 as amended by 1996 PA 210 and section 25 as amended by 1998 PA 371.

(The bill was received from the Senate on February 27, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 28, see House Journal No. 19, p. 348.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 203

### Yeas—108

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott

Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayer	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pavlov	Young

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5287, entitled**

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” by amending section 2 (MCL 445.1652), as amended by 2007 PA 179.

(The bill was received from the Senate on February 27, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 28, see House Journal No. 19, p. 348.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 204****Yeas—108**

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

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

### Nays—0

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

#### **House Bill No. 5288, entitled**

A bill to amend 1987 PA 173, entitled “Mortgage brokers, lenders, and servicers licensing act,” (MCL 445.1651 to 445.1684) by adding section 2a.

(The bill was received from the Senate on February 27, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 28, see House Journal No. 19, p. 348.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Coulouris moved to amend the Senate substitute (S-2) as follows:

1. Amend page 4, line 1, after “**APPLICATION**” by striking out “**FOR RENEWAL**”.
2. Amend page 4, line 14, after “**APPLICATION**” by striking out “**FOR RENEWAL**”.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 205**

#### **Yeas—108**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrar	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayer	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma

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

### Nays—0

In The Chair: Sak

The House agreed to the full title.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### House Bill No. 5811, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Caswell, Shaffer, Brandenburg, Booher, Hansen, Agema and Nofs

Nays: None

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### House Bill No. 5812, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Hammel, Hood, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Caswell, Booher, Caul, Hansen and Nofs

Nays: None

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Alma Smith, Warren, Clack, Accavitti, Bauer, Bieda, Brown, Cheeks, Constan, Cushingberry, Dean, Hammon, Hansen, Hopgood, Robert Jones, Kathleen Law, Leland, Lemmons, Proos, Stahl, Tobocman, Vagnozzi and Valentine offered the following resolution:

**House Resolution No. 310.**

A resolution to memorialize the United States Congress to enact the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act, the Youth PROMISE Act.

Whereas, Among the most effective approaches to reducing juvenile delinquency and criminal street gang activity are those preventing children from turning to crime in the first place — encouraging early childhood home visitation, parental love and education, quality schooling, and proven youth and family development initiatives; and

Whereas, There are many alternatives to incarcerating youth that have been proven to be more effective in reducing crime and violence at the national, state, local, and tribal levels. Failure to provide for such effective alternatives is a pervasive problem that leads to increased youth, and later adult, crime and violence; and

Whereas, Research funded by the U.S. Department of Justice indicates that gang membership is short-lived among adolescents—with very few youth remaining gang-involved through their adolescent years. This indicates that there are opportunities for intervention; and

Whereas, Over-reliance on incarceration and confinement of youth, particularly in the early stages of delinquent behavior and for nonviolent delinquent behavior, has been shown to increase long-term crime risks; and

Whereas, Congress has before it the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act, the Youth PROMISE Act, (H.R. 3846), which seeks to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention and to help build individual, family, and community strength to ensure that our youth lead productive, law-abiding, addiction- and gang-free lives; and

Whereas, The Youth PROMISE Act will provide resources to enable communities with the greatest concentration of juvenile delinquency and criminal street gang activity to come together to assess unmet needs and implement research-based prevention and intervention approaches to promote youth success and community safety; and

Whereas, The Youth PROMISE Act creates a PROMISE Advisory Panel, which will help the Office of Juvenile Justice and Delinquency Prevention select PROMISE communities. It will also develop standards for the evaluation of juvenile delinquency and criminal street gang activity prevention and intervention methods carried out under the Youth PROMISE Act. Further, it provides for the collection of data related to the juvenile delinquency and criminal street gang activity prevention and intervention needs and resources in each designated geographic area in order to facilitate the strategic geographic allocation of resources provided under the act; and

Whereas, The Youth PROMISE Act establishes grants to enable local and tribal communities, via PROMISE Coordinating Councils, to conduct an objective assessment regarding juvenile delinquency and criminal street gang activity, resource needs, and community strengths necessary to effectively address juvenile delinquency and criminal street gang activity. Based upon the assessment, the PROMISE Coordinating Councils will develop plans that include a broad array of prevention and intervention programs that are responsive to the specifics of the community, account for the cultural and linguistic requirements of the community, and utilize approaches that have been shown effective in reducing the likelihood of a young person becoming involved in or continuing delinquent conduct or criminal street gang activity. Upon completion of the plan, the PROMISE Coordinating Councils may then apply for federal funds to assist with implementation. The act also provides for national evaluations of PROMISE programs and activities; and

Whereas, The Youth PROMISE Act requires that local units of government or Indian tribes receiving grants shall provide from nonfederal funds, in cash or in-kind, 25 percent of the costs of the activities carried out with such grants; and

Whereas, The Youth PROMISE Act establishes a National Center for Proven Practices Research, which will collect and disseminate research to PROMISE Coordinating Councils and to the public (including via an Internet website), as well as other information regarding evidence-based promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention. The act also provides the opportunity for regional research partners to assist with developing their assessments and plans; and

Whereas, The Youth PROMISE Act provides for the hiring and training of Youth-Oriented Policing officers to implement strategic activities to minimize youth crime and victimization and reduce the long-term involvement of juveniles in illicit activities, juvenile delinquency, and criminal street gang activity. The act also establishes a Center for Youth-Oriented Policing, which will be responsible for identification, development, and dissemination to law enforcement agencies the best practices for Youth-Oriented Policing techniques and technologies; and

Whereas, The Youth PROMISE Act provides additional improvements to current laws affecting juvenile delinquency and criminal street gang activity, including support for youth victim and witness protection programs and extended and increased authorizations for the Juvenile Accountability Block Grant program; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to enact the Youth Prison Reduction through Opportunities, Mentoring, Intervention, Support, and Education Act, the Youth PROMISE Act; 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 Judiciary.

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 19:

<b>House Bill Nos.</b>	<b>5904</b>	<b>5905</b>	<b>5906</b>	<b>5907</b>	<b>5908</b>	<b>5909</b>						
<b>Senate Bill Nos.</b>	<b>1213</b>	<b>1214</b>	<b>1215</b>	<b>1216</b>	<b>1217</b>	<b>1218</b>	<b>1219</b>	<b>1220</b>	<b>1223</b>	<b>1224</b>	<b>1225</b>	

The Clerk announced that the following Senate bills had been received on Wednesday, March 19:

<b>Senate Bill Nos.</b>	<b>158</b>	<b>218</b>	<b>760</b>	<b>945</b>	<b>970</b>	<b>972</b>	<b>1191</b>
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#### Reports of Standing Committees

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

##### **House Bill No. 4260, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2005 PA 106.

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. Condino, Bieda, Corriveau, Meadows, Meisner, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

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

##### **House Bill No. 4602, entitled**

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending the title and sections 1, 2, and 5 (MCL 554.71, 554.72, and 554.75).

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. Condino, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

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

**House Bill No. 5089, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16 of chapter X (MCL 770.16), as amended by 2005 PA 4.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Condino, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca

Nays: Rep. Elsenheimer

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

**House Bill No. 5909, entitled**

A bill to exclude certain personal property held in trust from the rule against perpetuities and similar rules that potentially affect the duration of trusts.

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

1. Amend page 1, line 6, after "create," by striking out "a second power" and inserting "another power of appointment".

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

## Favorable Roll Call

## To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 19, 2008

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

Absent: Reps. Coulouris and Virgil Smith

Excused: Reps. Coulouris and Virgil Smith

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

**Senate Bill No. 120, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14j.

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. Clack, Dean, Accavitti, Hammon, Sheen, Stahl and Hoogendyk

Nays: None

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

**Senate Bill No. 668, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIA (MCL 712A.19b), as amended by 2000 PA 232.

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. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

**Senate Bill No. 669, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19a of chapter XIIA (MCL 712A.19a), as amended by 2004 PA 473.

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. Clack, Dean, Accavitti, Hammon, Wojno, Sheen and Hoogendyk

Nays: None

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

**Senate Bill No. 670, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 13b of chapter XIIA (MCL 712A.13b), as amended by 2004 PA 475.

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. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

**Senate Bill No. 671, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19 of chapter XIIA (MCL 712A.19), as amended by 2004 PA 477.

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. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

**Senate Bill No. 672, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19c of chapter XIA (MCL 712A.19c), as amended by 2004 PA 476.

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. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

## 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, March 19, 2008

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

Absent: Rep. Palmer

Excused: Rep. Palmer

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

**House Resolution No. 89.**

A resolution to encourage the Michigan Department of Natural Resources and the Michigan Public Service Commission to promote the Safe Passage Initiative.

(For text of resolution, see House Journal No. 42 of 2007, p. 603.)

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, Kathleen Law, Leland, Valentine and Walker

Nays: Reps. Robertson and Palmer

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

**House Resolution No. 294.**

A resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

(For text of resolution, see House Journal No. 21, p. 380.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

**Substitute for House Resolution No. 294.**

A resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. This historic

document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, Each Great Lakes state and the United States Congress must approve the same language for the compact to become legally binding. Four Great Lakes states—Minnesota, Illinois, Indiana, and New York—have already enacted the compact as agreed to by the governors and premiers in December 2005. In addition, the Pennsylvania House of Representatives, the Ohio House of Representatives, and the Wisconsin Senate have passed bills that would enact that same language. However, the Ohio Senate and Wisconsin State Assembly have indicated that they will consider amending the compact; and

Whereas, Any changes to the compact at this late stage of the process would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives, That we urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, the Wisconsin Legislature, and the governors of Ohio, Pennsylvania, and Wisconsin.

The resolution and substitute were laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Leland, Valentine, Robertson, Palmer, Moolenaar, Walker and Meekhof

Nays: None

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

#### **House Resolution No. 309.**

A resolution to memorialize the Congress of the United States to enact strong legislation to end the flow of new aquatic invasive species into the Great Lakes from ballast water.

(For text of resolution, see House Journal No. 27, p. 544.)

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, Kathleen Law, Leland, Valentine, Robertson, Palmer, Emmons, Moolenaar, Walker and Meekhof

Nays: None

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

#### **House Concurrent Resolution No. 76.**

A concurrent resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

(For text of concurrent resolution, see House Journal No. 21, p. 381.)

With the recommendation that the following substitute (H-1) be adopted and that the concurrent resolution then be adopted.

#### **Substitute for House Concurrent Resolution No. 76.**

A concurrent resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. This historic document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, Each Great Lakes state and the United States Congress must approve the same language for the compact to become legally binding. Four Great Lakes states—Minnesota, Illinois, Indiana, and New York—have already enacted the compact as agreed to by the governors and premiers in December 2005. In addition, the Pennsylvania House of Representatives, the Ohio House of Representatives, and the Wisconsin Senate have passed bills that would enact that same language. However, the Ohio Senate and Wisconsin State Assembly have indicated that they will consider amending the compact; and

Whereas, Any changes to the compact at this late stage of the process would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, the Wisconsin Legislature, and the governors of Ohio, Pennsylvania, and Wisconsin.

The concurrent resolution and substitute were laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Leland, Valentine, Robertson, Palmer, Moolenaar, Walker and Meekhof

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, March 19, 2008

Present: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Leland, Miller, Valentine, Robertson, Palmer, Emmons, Moolenaar, Walker and Meekhof

Absent: Rep. Meadows

Excused: Rep. Meadows

#### 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, March 19, 2008

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

Absent: Reps. Pastor, Palmer and Wenke

Excused: Reps. Pastor, Palmer and Wenke

#### Messages from the Senate

##### **House Bill No. 5861, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize

the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 11e and 11f (MCL 247.661e and 247.661f), section 11e as amended by 2007 PA 26 and section 11f as amended by 2007 PA 27.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

#### **Senate Bill No. 158, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as amended by 1999 PA 273.

The Senate has passed the bill.

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

#### **Senate Bill No. 218, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 2007 PA 146.

The Senate has passed the bill.

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

#### **Senate Bill No. 760, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

The Senate has passed the bill.

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

#### **Senate Bill No. 945, entitled**

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending sections 3, 7, and 9 (MCL 445.63, 445.67, and 445.69), section 3 as amended by 2006 PA 566, and by adding section 7a.

The Senate has passed the bill.

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

#### **Senate Bill No. 970, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a

board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending sections 1 and 7 (MCL 125.1651 and 125.1657), section 1 as amended by 2006 PA 659 and section 7 as amended by 2005 PA 115.

The Senate has passed the bill.

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

**Senate Bill No. 972, entitled**

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 7 (MCL 125.1657), as amended by 2005 PA 115.

The Senate has passed the bill.

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

**Senate Bill No. 1191, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2006 PA 594.

The Senate has passed the bill.

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

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Agriculture from further consideration of **Senate Bill No. 885**.

Rep. Tobocman

**Introduction of Bills**

Reps. Dean, Corriveau, Clack, Hopgood, Brown, Valentine, Accavitti and Lemmons introduced

**House Bill No. 5910, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 7j (MCL 722.627j), as amended by 2004 PA 563.

The bill was read a first time by its title and referred to the Committee on Families and Children’s Services.

Reps. Clack, Hammon, Johnson, Constan, Hammel, Vagnozzi, Alma Smith, Meadows, LeBlanc, Simpson, Robert Jones, Virgil Smith, Jackson, Leland, Kathleen Law, Polidori, Griffin, Corriveau, Wojno, Farrah, Meisner, Miller and Dean introduced

**House Bill No. 5911, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1280c. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Clack, Hammon, Constan, Johnson, Hammel, Vagnozzi, Alma Smith, Meadows, LeBlanc, Simpson, Robert Jones, Virgil Smith, Jackson, Leland, Bauer, Kathleen Law, Polidori, Corriveau, Ebli, Sheltrown, Wojno, Farrah, Miller and Dean introduced

**House Bill No. 5912, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1561 and 1578 (MCL 380.1561 and 380.1578), section 1561 as amended by 1996 PA 339.

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

Reps. Hammel, Alma Smith, Spade, Valentine, Johnson, Coulouris and Meadows introduced

**House Bill No. 5913, entitled**

A bill to authorize and create irrevocable trusts for the purpose of holding, investing, and distributing assets to be used for certain postemployment health care benefits; to set forth certain rights that public employees have in retirement health care benefits under certain circumstances; to provide for the establishment and amendment of certain irrevocable trust agreements; and to prescribe certain powers and duties of certain retirement systems, state departments, public officials, and public employees.

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

Rep. Miller introduced

**House Bill No. 5914, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 63 (MCL 38.63), as added by 1996 PA 487.

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

**House Resolution No. 306.**

A resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

(For text of resolution, see House Journal No. 27, p. 542.)

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. Coulouris, Johnson, Clemente, Mayes and Virgil Smith

Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

**House Concurrent Resolution No. 78.**

A concurrent resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

(For text of concurrent resolution, see House Journal No. 27, p. 544.)

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. Coulouris, Johnson, Clemente, Mayes and Virgil Smith

Nays: None

**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: Wednesday, March 19, 2008

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



Rep. Meekhof moved that the House adjourn.  
The motion prevailed, the time being 6:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 20, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives