No. 97 STATE OF MICHIGAN

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House of Representatives

94th Legislature REGULAR SESSION OF 2007

House Chamber, Lansing, Wednesday, September 26, 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 Acciavatti—present Agema—excused Amos—present Angerer—present Ball—present Bauer—present Bennett—present Bieda—present Booher-present Brandenburg—present Brown—present Byrnes—present Byrum—present Calley—present Casperson—present Caswell—present Caul—present Cheeks—present Clack—present Clemente—present Condino—e/d/s Constan—present Corriveau—present Coulouris-present Cushingberry—present Dean—present DeRoche—present

Dillon—present Donigan—present Ebli—present Elsenheimer—present Emmons—present Espinoza—present Farrah—present Gaffney—present Garfield—present Gillard—e/d/s Gonzales—present Green—present Griffin—present Hammel—present Hammon—present Hansen—present Hildenbrand—present Hood—e/d/s Hoogendyk—present Hopgood—present Horn—present Huizenga—present Hune—present Jackson—present Johnson—present Jones, Rick—present Jones, Robert—present Knollenberg—present

LaJoy—present Law, David—present Law, Kathleen—present LeBlanc—present Leland—present Lemmons—present Lindberg-present Marleau-present Mayes—present McDowell—present Meadows—present Meekhof—present Meisner—present Melton—present Meltzer—present Miller—present Moolenaar—present Moore—present Moss-present Nitz—present Nofs-present Opsommer—present Palmer—present Palsrok-present Pastor—present

Pavlov—present

Lahti—present

Polidori—present Proos—present Robertson—present Rocca—present Sak—present Schuitmaker—present Scott—present Shaffer-present Sheen—e/d/s Sheltrown—present Simpson—present Smith, Alma—present Smith, Virgil—present Spade—present Stahl-present Stakoe—present Steil—present Tobocman—present Vagnozzi-present Valentine—present Walker—present Ward—present Warren—present Wenke-present Wojno-present Young—e/d/s

Pearce—present

Rep. Richard J. Ball, from the 85th District, offered the following invocation:

"Dear God, we need Your help and wise counsel to guide us to an equitable solution of the current fiscal crisis.

The task You have given us is to do what is best for the citizens of Michigan. Now we need Your guidance and assistance to lead us through the morass of partisan differences, personal agendas, and reelection concerns to a resolution that best serves our citizens, and starts Michigan on a path to economic strength and stability.

We have not been successful in accomplishing this resolution on our own. We pray and ask for Your infinite wisdom and guidance to touch each of us so we are able to resolve this crisis.

In Your Holy Name we pray. Amen."

Rep. Booher moved that Rep. Agema be excused from today's session. The motion prevailed.

The motion prevailed.

Rep. Elsenheimer moved that Rep. DeRoche be excused temporarily from today's session. The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 30.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Western Michigan University relative to the Western Michigan University Brown Hall Renovations/Addition.

(For text of concurrent resolution, see House Journal No. 62, p. 948.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 408

Yeas—103

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

Caul Moolenaar Hopgood Horn Cheeks Moore Clack Huizenga Moss Clemente Hune Nitz Constan Jackson Nofs Corriveau Johnson Opsommer Palmer Jones, Rick Coulouris Cushingberry Jones, Robert Palsrok Pastor Dean Knollenberg Dillon Lahti Pavlov

Steil Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno

Nays-0

In The Chair: Sak

Rep. Gillard entered the House Chambers.

The Speaker laid before the House

House Concurrent Resolution No. 31.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Macomb Community College relative to the Macomb Community College Health Sciences and Technology Classroom Building.

(For text of concurrent resolution, see House Journal No. 62, p. 949.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 409 Yeas—104

Accavitti Donigan Acciavatti Ebli Amos Elsenheimer Emmons Angerer Ball Espinoza Bauer Farrah Gaffney Bennett Bieda Garfield Booher Gillard Brandenburg Gonzales Brown Green **Byrnes** Griffin Byrum Hammel Calley Hammon Casperson Hansen Caswell Hildenbrand

Lahti LaJoy Law. David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer

Pavlov
Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Scott
Shaffer
Sheltrown
Simpson
Smith, Alma
Smith, Virgil
Spade

Stahl

Caul Miller Hoogendyk Hopgood Cheeks Moolenaar Clack Horn Moore Huizenga Clemente Moss Constan Hune Nitz Corriveau Jackson Nofs Opsommer Coulouris Johnson Jones, Rick Cushingberry Palmer Jones, Robert Palsrok Dean Dillon Knollenberg **Pastor**

Stakoe
Steil
Tobocman
Vagnozzi
Valentine
Walker
Ward
Warren
Wenke
Wojno

Nays-0

In The Chair: Sak

Rep. Sheen entered the House Chambers.

The Speaker laid before the House

House Concurrent Resolution No. 32.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Macomb Community College relative to the Macomb Community College Emergency Services Training Center.

(For text of concurrent resolution, see House Journal No. 62, p. 950.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 410

Yeas—105

Accavitti Ebli LaJoy Acciavatti Elsenheimer Law, David Amos Emmons Law, Kathleen LeBlanc Espinoza Angerer Ball Farrah Leland Bauer Gaffney Lemmons Garfield Lindberg Bennett Bieda Gillard Marleau Mayes Booher Gonzales McDowell Brandenburg Green Brown Griffin Meadows **Byrnes** Hammel Meekhof Byrum Hammon Meisner Calley Hansen Melton Casperson Hildenbrand Meltzer Caswell Hoogendyk Miller

Pearce Polidori Proos Robertson Rocca Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith. Alma Smith, Virgil Spade Stahl

Caul Hopgood Horn Cheeks Clack Huizenga Moss Hune Nitz Clemente Constan Jackson Nofs Johnson Corriveau Jones, Rick Coulouris Cushingberry Jones, Robert Dean Knollenberg Dillon Lahti Donigan

Moolenaar Stakoe Steil Moore Tobocman Vagnozzi Valentine Opsommer Walker Palmer Ward Palsrok Warren Pastor Wenke Pavlov Wojno

Nays—0

In The Chair: Sak

Rep. Hood entered the House Chambers.

The Speaker laid before the House

House Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Alpena Community College relative to the Alpena Community College Instructional Addition/Renovation.

(For text of concurrent resolution, see House Journal No. 63, p. 968.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 411 Yeas—106

Accavitti Ebli LaJoy Acciavatti Elsenheimer Law. David Emmons Amos Angerer Espinoza LeBlanc Ball Farrah Leland Gaffney Lemmons Bauer Bennett Garfield Lindberg Bieda Gillard Marleau **Booher** Gonzales Mayes Brandenburg Green **McDowell** Brown Griffin Meadows **B**vrnes Hammel Meekhof Byrum Hammon Meisner Calley Hansen Melton Casperson Hildenbrand Meltzer

Pearce Polidori Law, Kathleen Proos Robertson Rocca Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade

Caswell Hood Caul Hoogendyk Cheeks Hopgood Clack Horn Clemente Huizenga Constan Hune Jackson Corriveau Coulouris Johnson Cushingberry Jones, Rick Dean Jones, Robert Dillon Knollenberg Donigan Lahti

Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok Pastor Pavlov Stahl
Stakoe
Steil
Tobocman
Vagnozzi
Valentine
Walker
Ward
Warren
Wenke
Wojno

Nays-0

In The Chair: Sak

Reps. Young and Condino entered the House Chambers.

The Speaker laid before the House

House Concurrent Resolution No. 35.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects, Phase I, Phase II, Group E, Special Maintenance Projects (the "Facility").

(For text of concurrent resolution, see House Journal No. 63, p. 969.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 412 Yeas—108

Accavitti Donigan Acciavatti Ebli Elsenheimer Amos Emmons Angerer Ball Espinoza Bauer Farrah Bennett Gaffney Bieda Garfield Booher Gillard Brandenburg Gonzales Brown Green **Byrnes** Griffin Byrum Hammel Calley Hammon

Lahti
LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Marleau
Mayes
McDowell
Meadows
Meekhof
Meisner

Pearce Polidori Proos Robertson Rocca Sak Schuitmaker

Scott
Shaffer
Sheen
Sheltrown
Simpson
Smith, Alma
Smith, Virgil

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

Nays—0

In The Chair: Sak

The Speaker laid before the House

House Concurrent Resolution No. 37.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Observatory Lodge Renovations.

(For text of concurrent resolution, see House Journal No. 63, p. 970.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 413 Yeas—108

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

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Clack Moore Hopgood Horn Clemente Moss Condino Huizenga Nitz Hune Nofs Constan Corriveau Jackson Opsommer Johnson Palmer Coulouris Jones, Rick Palsrok Cushingberry Dean Jones, Robert Pastor Dillon Knollenberg Pavlov

Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Tobocman

Nays-0

In The Chair: Sak

The Speaker laid before the House

House Concurrent Resolution No. 44.

A concurrent resolution to approve the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Information Technology Michigan Public Safety Communication System Critical Platform Upgrades.

(For text of concurrent resolution, see House Journal No. 81, p. 1349.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 414 Yeas—109

Accavitti Donigan Acciavatti Ebli Elsenheimer Amos Emmons Angerer Ball Espinoza Farrah Bauer Gaffnev Bennett Bieda Garfield Booher Gillard Brandenburg Gonzales Brown Green **Bvrnes** Griffin Byrum Hammel Calley Hammon Casperson Hansen Caswell Hildenbrand Caul Hood Cheeks Hoogendyk Clack Hopgood Clemente Horn Condino Huizenga Constan Hune Corriveau Jackson

Lahti LaJov Law. David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer

Polidori Proos Robertson Rocca Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Steil Tobocman Vagnozzi Valentine Walker Ward

Pearce

Coulouris Johnson Palmer Warren Cushingberry Jones, Rick Palsrok Wenke Dean Jones, Robert Pastor Wojno Pavlov DeRoche Knollenberg Young Dillon

Navs-0

In The Chair: Sak

The Speaker laid before the House

House Concurrent Resolution No. 45.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget Capitol Complex Renovations.

(For text of concurrent resolution, see House Journal No. 81, p. 1351.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 415 Yeas—109

Donigan Accavitti Acciavatti Ebli Amos Elsenheimer Angerer **Emmons** Ball Espinoza Farrah Bauer Bennett Gaffney Bieda Garfield Booher Gillard Brandenburg Gonzales Brown Green **Byrnes** Griffin Byrum Hammel Calley Hammon Casperson Hansen Caswell Hildenbrand Caul Hood Cheeks Hoogendyk Clack Hopgood Clemente Horn Condino Huizenga Constan Hune Corriveau Jackson Coulouris Johnson Cushingberry Jones, Rick

Lahti LaJoy Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok

Proos Robertson Rocca Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Steil Tobocman Vagnozzi Valentine Walker Ward Warren Wenke

Pearce

Polidori

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Dean DeRoche Dillon Jones, Robert Knollenberg Pastor Pavlov Wojno Young

Nays—0

In The Chair: Sak

The Speaker laid before the House

House Concurrent Resolution No. 46.

A concurrent resolution to revise the total project cost of the Health Program Expansion and Information Commons project at Jackson Community College.

(For text of concurrent resolution, see House Journal No. 81, p. 1352.)

(The concurrent resolution was reported by the Committee on Appropriations on September 25, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 416

Yeas-109

Lahti

Accavitti Donigan Acciavatti Ebli Amos Elsenheimer Angerer Emmons Ball Espinoza Bauer Farrah Bennett Gaffnev Bieda Garfield Booher Gillard Brandenburg Gonzales Brown Green **Byrnes** Griffin **Byrum** Hammel Hammon Calley Casperson Hansen Caswell Hildenbrand Caul Hood Cheeks Hoogendyk Clack Hopgood Clemente Horn Condino Huizenga Constan Hune Corriveau Jackson Coulouris Johnson Cushingberry Jones, Rick Dean Jones, Robert DeRoche Knollenberg Dillon

LaJov Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok Pastor Pavlov

Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Steil Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Woino Young

Pearce

Proos

Rocca

Sak

Scott

Polidori

Robertson

Schuitmaker

Nays—0

In The Chair: Sak

By unanimous consent the House returned to the order of

Motions and Resolutions

House Resolution No. 183.

A resolution to memorialize the Congress of the United States to continue exempting returning workers allowed into this country under the H2B visa program by passing H.R. 1843 and to urge that Congress not enact legislation granting amnesty to illegal aliens.

(For text of resolution, see House Journal No. 86, p. 1443.)

(The resolution was adopted on September 25, see House Journal No. 96, p. 1561.)

Rep. Tobocman moved to reconsider the vote by which the House adopted the resolution.

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

The question being on the adoption of the resolution,

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

The motion prevailed.

Reps. Lemmons, Brown, Byrnes, Cheeks, Clemente, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Hammel, Hopgood, Johnson, Robert Jones, Leland, Marleau, Sak, Tobocman, Vagnozzi, Valentine and Warren offered the following resolution:

House Resolution No. 190.

A resolution to memorialize the Congress of the United States to create the Homeowners and Bank Protection Act. Whereas, The onrushing financial crisis engulfing home mortgages and the banking system of the United States threatens to set off an economic depression. Millions of American citizens are threatened with foreclosure and loss of their homes due to a financial crisis that threatens the integrity of both state and federally chartered banks. Such a banking collapse would wipe out the life savings of American citizens and undermine the economic stability of our nation; and

Whereas, The Congress of the United States should move quickly to keep people in their homes and avert economic catastrophe. Congress should establish a federal agency to place the federal and state chartered banks under protection, freeze all existing home mortgages for a period of months to adjust the values to fair prices, and restructure existing mortgages at appropriate interest rates. Also, the Congress should write off all speculative debt obligations of mortgage-backed securities and other schemes that have brought the banking system to the point of bankruptcy; and

Whereas, During the transitional period, all foreclosures should be frozen, allowing American families to retain their homes. Monthly payments, the equivalent of rental payments, should be made to designated banks, which can use the funds as collateral for normal lending practices, thus recapitalizing the banking system. These payments will be factored into new mortgages, reflecting the deflating of the housing bubble and the establishment of appropriate property valuations and reduced interest rates; and

Whereas, State governments should assume the administrative responsibilities for implementing the program, including the rental assessments to designated banks. The federal government should provide the necessary credits and guarantees to assure the successful transition; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to create the Homeowners and Bank Protection 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 Banking and Financial Services.

Reps. Robert Jones, Ball, Bauer, Bieda, Brown, Byrnes, Cheeks, Condino, Constan, Cushingberry, Dean, Donigan, Farrah, Gonzales, Green, Griffin, Hammel, Hammon, Hopgood, Johnson, LeBlanc, Leland, Lemmons, Marleau, Mayes, McDowell, Meadows, Miller, Pearce, Polidori, Proos, Sak, Schuitmaker, Shaffer, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine and Warren offered the following resolution:

House Resolution No. 191.

A resolution declaring November 4-10, 2007, as Michigan Long-Term Care Awareness Week in the state of Michigan. Whereas, The U.S. Department of Health and Human Services has reported that 60 percent of Michigan residents over the age of 65 will need long-term care services at some point, with more than 40 percent of this group requiring nursing home care and another 30 percent in-home assistance; and

Whereas, The U. S. Census Bureau has projected that the population of Michigan residents age 65 and older will increase by nearly 70 percent to more than 2 million by 2030; and

Whereas, In 2006, the average annual cost of care in Michigan for nursing home services was \$70,445, over \$32,500 for assisted living and \$18 per hour for non-skilled, in-home aid with all three continuing to increase at a rate outpacing the Consumer Price Index; and

Whereas, The American Association of Long-Term Care Insurance estimates that, by 2020, the cost for today's 60 year old will be in the \$80,000 to \$120,000 range for a single year of care in a nursing home or assisted living facility, which would entirely or nearly deplete the financial assets of most in just a year or two; and

Whereas, A 2006 AARP study indicated that most Americans, age 45 or over, were less informed than they thought regarding long term care, which was evidenced by the less than eight percent of them who could estimate the cost for nursing home care to within +/- 20 percent of its national average and the nearly 60 percent who believed that Medicare would cover the costs for an extended nursing home stay when it usually doesn't; and

Whereas, The Governor's Office and the AARP have noted that low levels of consumer awareness and many common misperceptions regarding the most essential long term care issues significantly contributed to the very apparent lack of planning and financial preparedness on the part of a significant majority of Michigan and U.S. residents aged 45 and over; and

Whereas, Almost all long term care experts are predicting that the next 10 to 30 years will see even sharper increases in the demand for services and its associated costs, it has become contingent on Michigan citizens to recognize this critical situation and, with the assistance and cooperation of state and federal government and businesses of all sizes, they will begin to take the appropriate steps to ensure that their individual and family long term care needs can be met, which will improve the odds that their latter years can be "golden years"; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare November 4-10, 2007, as Michigan Long-Term Care Awareness Week in the state of Michigan. We encourage every citizen to take the steps necessary to ensure a caring, worry-free future for themselves and their loved ones.

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.

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, September 26:

House Bill Nos. 5262 5263 5264 5265 5266 5267

Senate Bill Nos. 816 817

The Clerk announced that the following Senate bills had been received on Wednesday, September 26:

Senate Bill Nos. 593 794

Messages from the Senate

House Bill No. 4849, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8317 (MCL 324.8317), as amended by 2003 PA 82; and to repeal acts and parts of acts.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4860, entitled

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending sections 4 and 9b (MCL 287.334 and 287.339b), section 4 as amended by 2004 PA 280 and section 9b as added by 1997 PA 7.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4861, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2005 PA 326.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4863, entitled

A bill to amend 1974 PA 93, entitled "An act to license and regulate horse riding stables and sales barns; to prescribe the duties of the department of agriculture; and to provide a penalty," by amending section 3 (MCL 287.113), as amended by 2003 PA 86.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4864, entitled

A bill to amend 1937 PA 284, entitled "An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers' proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act," by amending section 3 (MCL 287.123), as amended by 2004 PA 279.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4185, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4862, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by amending the title and sections 6, 9, and 11 (MCL 286.206, 286.209, and 286.211), the title as amended by 2005 PA 53, section 6 as amended by 1995 PA 137, section 9 as amended by 2004 PA 273, and section 11 as amended by 1984 PA 88.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 593, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 794, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to

prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 1993 PA 149.

The Senate has passed the bill.

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

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 **Senate Bill No. 374**.

(For first notice see House Journal No. 96, p. 1573.)

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.

Second Reading of Bills

Senate Bill No. 374, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 112g, 112h, 112i, 112j, and 112k.

The bill was read a second time.

Rep. Cushingberry 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. Cushingberry moved to amend the bill as follows:

1. Amend page 6, line 5, after "EXCEPT" by striking out the balance of the subsection and inserting "ASSETS OTHERWISE SUBJECT TO CLAIMS UNDER SECTION 3805(3) OF THE ESTATES AND PROTECTED INDIVIDUALS CODE, 1998 PA 386, MCL 700.3805 ARE NOT PART OF THE ESTATE.".

The motion prevailed and the amendment 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. 374, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 112g, 112h, 112i, 112j, and 112k.

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

Roll Call No. 417 Yeas—57

Angerer	Dillon	Jackson	Polidori
Ball	Donigan	Johnson	Schuitmaker
Bauer	Elsenheimer	Jones, Robert	Scott
Bennett	Espinoza	Lahti	Sheen
Brandenburg	Farrah	Law, Kathleen	Smith, Alma
Byrnes	Gaffney	Leland	Smith, Virgil
Calley	Gonzales	Lemmons	Steil

Cheeks Green Tobocman Lindberg McDowell Valentine Clack Hammel Clemente Hammon Meadows Walker Condino Hildenbrand Meisner Ward Melton Warren Constan Hood Coulouris Hopgood Palsrok Wenke Cushingberry Huizenga Pearce Young DeRoche

Nays—52

Accavitti **Emmons** Marleau Pavlov Acciavatti Garfield Mayes Proos Amos Gillard Meekhof Robertson Griffin Bieda Meltzer Rocca Booher Hansen Miller Sak Brown Hoogendyk Moolenaar Shaffer **Byrum** Horn Moore Sheltrown Hune Casperson Moss Simpson Caswell Jones, Rick Nitz Spade Caul Knollenberg Stahl Nofs Corriveau LaJoy Opsommer Stakoe Dean Law, David Palmer Vagnozzi LeBlanc **Pastor** Woino Ebli

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,"

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 204**.

(For first notice see House Journal No. 96, p. 1573.)

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.

Second Reading of Bills

Senate Bill No. 204, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 3805 (MCL 700.3805), as amended by 2000 PA 177.

The bill was read a second time.

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. 204, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 3805 (MCL 700.3805), as amended by 2000 PA 177.

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

Roll Call No. 418

Yeas—58

Angerer	Dillon	Jackson	Polidori
Ball	Donigan	Johnson	Schuitmaker
Bauer	Elsenheimer	Jones, Robert	Scott
Bennett	Espinoza	Lahti	Sheen
Brandenburg	Farrah	Law, Kathleen	Smith, Alma
Byrnes	Gaffney	Leland	Smith, Virgil
Calley	Gonzales	Lemmons	Steil
Cheeks	Green	Lindberg	Tobocman
Clack	Griffin	McDowell	Valentine
Clemente	Hammel	Meadows	Walker
Condino	Hammon	Meisner	Ward
Constan	Hildenbrand	Melton	Warren
Coulouris	Hood	Palsrok	Wenke
Cushingberry	Hopgood	Pearce	Young
DeRoche	Huizenga		<u>-</u> -

Nays-51

Accavitti	Emmons	Mayes	Proos
Acciavatti	Garfield	Meekhof	Robertson
Amos	Gillard	Meltzer	Rocca
Bieda	Hansen	Miller	Sak
Booher	Hoogendyk	Moolenaar	Shaffer
Brown	Horn	Moore	Sheltrown
Byrum	Hune	Moss	Simpson
Casperson	Jones, Rick	Nitz	Spade
Caswell	Knollenberg	Nofs	Stahl
Caul	LaJoy	Opsommer	Stakoe
Corriveau	Law, David	Palmer	Vagnozzi
Dean	LeBlanc	Pastor	Wojno
Ebli	Marleau	Pavlov	3

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,"

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Elsenheimer moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 772**.

(For first notice see House Journal No. 96, p. 1573.)

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

Rep. Elsenheimer demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 419

Yeas-108

Lahti

Accavitti Dillon Donigan Acciavatti Amos Ebli Angerer Elsenheimer Ball Emmons Bauer Espinoza Bennett Farrah Bieda Gaffney Garfield Booher Brandenburg Gonzales Green Brown **Byrnes** Griffin Hammel **Byrum** Calley Hammon Casperson Hansen Caswell Hildenbrand Caul Hood Cheeks Hoogendyk Clack Hopgood Clemente Horn Condino Huizenga Constan Hune Corriveau Jackson Coulouris Johnson Cushingberry Jones, Rick Dean Jones, Robert DeRoche Knollenberg

LaJoy Law. David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok Pastor Pavlov

Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Steil Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Pearce

Proos

Rocca

Polidori

Robertson

Nays—1

Gillard

In The Chair: Sak

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

Rep. Elsenheimer moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 773**.

(For first notice see House Journal No. 96, p. 1573.)

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

Rep. Elsenheimer demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 420

Yeas—108

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

Nays—1

Gillard

In The Chair: Sak

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

Rep. Calley moved that the Committee on Tax Policy be discharged from further consideration of **Senate Bill No. 687**. (For first notice see House Journal No. 96, p. 1573.)

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

Rep. Calley demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 421 Yeas—109

Accavitti Donigan Acciavatti Ebli Elsenheimer Amos Angerer Emmons Ball Espinoza Bauer Farrah Bennett Gaffney Garfield Bieda Booher Gillard Gonzales Brandenburg Green Brown **Byrnes** Griffin Byrum Hammel Calley Hammon Casperson Hansen Caswell Hildenbrand Caul Hood Cheeks Hoogendyk Clack Hopgood Clemente Horn Condino Huizenga Constan Hune Corriveau Jackson Johnson Coulouris Jones, Rick Cushingberry Dean Jones, Robert Knollenberg DeRoche Dillon

Lahti LaJoy Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok Pastor Pavlov

Polidori Proos Robertson Rocca Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Steil Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Woino Young

Pearce

Nays-0

In The Chair: Sak

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

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 **House Bill No. 4025**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4542**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4600**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4601**.

Rep. Tobocman

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

Rep. Tobocman

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

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4975**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4976**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Military and Veterans Affairs and Homeland Security from further consideration of **House Bill No. 4977**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 5005**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 5006**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 5167**.

Rep. Tobocman

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

Rep. Tobocman

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

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4827**.

Rep. Tobocman

Rep. Caul moved that the House adjourn.

The motion prevailed, the time being 8:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 27, at 12:00 Noon.

RICHARD J. BROWN Clerk of the House of Representatives