

**No. 74**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Wednesday, August 1, 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 not present.

Rep. Mike Nofs, from the 62nd District, offered the following invocation:

“Dear Lord, we thank You for this wonderful and gracious day that You have given us, this beautiful weather, our way of life, the great state that we live in and the great United States of America in which we all enjoy. Please protect each and every one of us, all of our family members and those who may be hurting. Most of all please protect today and keep in Your will, everyone serving and protecting us, whether here or abroad in our United States Armed Forces. We thank You, we bless You, we give You the Almighty, praise. Dear Lord, we thank You for the wonderful day today and please guide us in our deliberations. In Your Son’s name, Jesus Christ we pray, thank You, Amen.”

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

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, July 26, for her approval of the following bills:

**Enrolled House Bill No. 4471 at 11:16 a.m.**

**Enrolled House Bill No. 4614 at 11:18 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, July 26:

<b>House Bill Nos.</b>	<b>5063</b>	<b>5064</b>	<b>5065</b>	<b>5066</b>	<b>5067</b>	<b>5068</b>	<b>5069</b>	<b>5070</b>	<b>5071</b>	<b>5072</b>	<b>5073</b>			
<b>Senate Bill Nos.</b>	<b>653</b>	<b>654</b>	<b>655</b>	<b>656</b>	<b>657</b>	<b>658</b>	<b>659</b>	<b>660</b>	<b>661</b>	<b>662</b>	<b>663</b>	<b>664</b>	<b>665</b>	

The Clerk announced that the following Senate bills had been received on Thursday, July 26:

**Senate Bill Nos. 515 540**

The Clerk announced that the following Senate bills had been received on Wednesday, August 1:

**Senate Bill Nos. 207 395 396 397 398 525 633**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, August 1:

**Senate Bill Nos. 675 676**

## Reports of Standing Committees

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 1, 2007

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

Absent: Reps. Gillard and Hood

Excused: Reps. Gillard and Hood

### Communications from State Officers

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

July 16, 2007

Pursuant to Section 1002 of P.A. 345 of FY 2006, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Woodland Center	2007C0207014	CS470245817

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "Online Lookups, Child Welfare Licensed Facilities" at the following address: <http://www.michigan.gov/dhslicensing>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Wilson at 517-373-8383.

Sincerely,  
Marianne Udow  
Director

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Hammon, Young, Melton, Hammel, Johnson, Alma Smith, Clack, Valentine, Ball, Scott, Meadows, Constan, Bieda, Sheltroun, Byrum, LeBlanc, Ebli, Lemmons, Lindberg, Bauer, Simpson, Tobocman, Coulouris, Corriveau, Bennett, Polidori, Griffin, Espinoza, McDowell, Hood, Accavitti, Wojno, Donigan, Vagnozzi, Meisner and Gonzales introduced

#### **House Bill No. 5074, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12601 and 12611 (MCL 333.12601 and 333.12611), section 12601 as amended by 1988 PA 315 and section 12611 as amended by 1993 PA 217, and by adding section 12603a.

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

Rep. Elsenheimer introduced

#### **House Bill No. 5075, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 83106 (MCL 324.83106), as amended by 2004 PA 587.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Nitz introduced

**House Bill No. 5076, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2 and 9 (MCL 28.422 and 28.429), section 2 as amended by 2004 PA 101 and section 9 as amended by 2004 PA 100.

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

Reps. Espinoza, Polidori, Scott, Brown, Miller, Kathleen Law and Dean introduced

**House Bill No. 5077, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17769.

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

Reps. Hansen, LaJoy, Hildenbrand, Green, Palsrok, Rick Jones, Meekhof, Emmons, Nitz, Proos, Acciavatti, Wenke, Moore, David Law, Huizenga, Pearce, Casperson, Steil, Hoogendyk, Knollenberg and Booher introduced

**House Bill No. 5078, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 24, 30c, and 31 (MCL 205.24, 205.30c, and 205.31), section 24 as amended by 2003 PA 201, section 30c as amended by 2002 PA 616, and section 31 as amended by 2002 PA 657.

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

Rep. Young introduced

**House Bill No. 5079, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 15 (MCL 28.435), as added by 2000 PA 265.

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

Rep. Knollenberg introduced

**House Bill No. 5080, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," (MCL 559.101 to 559.276) by adding section 63a.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Espinoza, Constan, Polidori, Mayes, Rick Jones and Stahl introduced

**House Bill No. 5081, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 479a (MCL 750.479a), as amended by 2002 PA 270.

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

Reps. Espinoza, Constan, Polidori, Mayes, Rick Jones and Stahl introduced

**House Bill No. 5082, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 234.

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

Rep. Meltzer introduced

**House Bill No. 5083, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1220.

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

Rep. Amos introduced

**House Bill No. 5084, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 620 (MCL 380.620), as added by 2004 PA 413.

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

Rep. Mayes introduced

**House Bill No. 5085, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105 and 82114 (MCL 324.82105 and 324.82114), section 82105 as amended by 2005 PA 271 and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reps. LeBlanc, Cushingberry and Sak introduced

**House Bill No. 5086, entitled**

A bill to create a public safety officer grant program; to prescribe certain powers and duties of the Michigan commission on law enforcement standards and the department of state police; and to create certain funds.

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

**Messages from the Senate**

**House Bill No. 4884, entitled**

A bill to amend 2000 PA 489, entitled "An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials," by amending section 7 (MCL 12.257), as added by 2005 PA 232.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

**Senate Bill No. 207, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 8 (MCL 207.803 and 207.808), section 3 as amended by 2006 PA 281 and section 8 as amended by 2006 PA 484.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

**Senate Bill No. 395, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 783.

The Senate has passed the bill.

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

**Senate Bill No. 396, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding chapter 7A; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 397, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding section 753.

The Senate has passed the bill.

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

**Senate Bill No. 398, entitled**

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding chapter 7B; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 515, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

**Senate Bill No. 525, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9721.

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. 540, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552 (MCL 750.552).

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. 633, 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.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

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Rep. Tobocman announced that pursuant to House Rule 1(2), the House will stand adjourned until Wednesday, August 8, at 1:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, August 8, at 1:30 p.m.

