

**No. 81**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

---

---

House Chamber, Lansing, Wednesday, September 5, 2007.

1:30 p.m.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—excused	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—excused	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—excused
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. Mike Simpson, from the 65th District, offered the following invocation:

“Dear Heavenly Father:

We thank You for the opportunity on this blessed day to help shepherd Your flock through these difficult and challenging times. Accordingly, we call on You to help us respond to the better angels of our nature by being the hopeful vessel through which we express the positivisms of public service.

Moreover, Heavenly Father, please accord us with a heightened sense of awareness of the civic virtues we all strive for here in this chamber, while serving on behalf of others from around this great state who daily look to us to exhibit the admirable leadership qualities we all share. For it is ultimately from Your divine inspiration that we can draw our finest examples, yet to come, of magnanimity and kindness. In His name we pray. Amen.”

---

Rep. Booher moved that Reps. Caul and Green be excused from today’s session.  
The motion prevailed.

Rep. Angerer moved that Rep. Warren be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

**House Resolution No. 172.**

A resolution to urge the Congress of the United States and the United States Environmental Protection Agency to address the recent approval of increased pollution by British Petroleum into the Great Lakes.

(For text of resolution, see House Journal No. 76, p. 1243.)

(The resolution was reported by the Committee on Great Lakes and Environment on August 22, consideration of which, under the rules, was postponed until August 23.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Concurrent Resolution No. 40.**

A concurrent resolution to oppose the proposed increase in materials discharged into Lake Michigan by British Petroleum at Whiting, Indiana.

(For text of concurrent resolution, see House Journal No. 75, p. 1209.)

(The concurrent resolution was reported by the Committee on Great Lakes and Environment on August 22, consideration of which, under the rules, was postponed until August 23.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

**House Resolution No. 165.**

A resolution to memorialize the United States Congress to enact H.R. 2927, which responsibly balances achievable fuel economy increases with important economic and social concerns, including consumer demand.

(For text of resolution, see House Journal No. 76, p. 1239.)

(The resolution was reported by the Committee on Transportation on August 30, with substitute (H-1), consideration of which, under the rules, was postponed until today.)

(For substitute, see House Journal No. 80, p. 1327.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 166.**

A resolution to encourage the Federal Highway Administration to approve the \$1,000,000 grant request, submitted by the Michigan Department of Transportation, to develop a rail transit route as an alternative to U.S. 23 in Livingston and Washtenaw counties.

(For text of resolution, see House Journal No. 76, p. 1240.)

(The resolution was reported by the Committee on Transportation on August 30, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

By unanimous consent the House returned to the order of

**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 Friday, August 31:

<b>House Bill Nos.</b>	<b>5150</b>	<b>5151</b>	<b>5152</b>	<b>5153</b>										
<b>Senate Bill Nos.</b>	<b>693</b>	<b>694</b>	<b>695</b>	<b>696</b>	<b>697</b>	<b>698</b>	<b>699</b>							

The Clerk announced that the following Senate bill had been received on Tuesday, September 4:

**Senate Bill No. 595**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 5:

<b>Senate Bill Nos.</b>	<b>700</b>	<b>701</b>	<b>702</b>	<b>703</b>	<b>704</b>	<b>705</b>	<b>706</b>	<b>707</b>	<b>708</b>	<b>709</b>	<b>710</b>	<b>711</b>	<b>712</b>	<b>713</b>
	<b>714</b>	<b>715</b>	<b>716</b>	<b>717</b>	<b>718</b>	<b>719</b>	<b>720</b>							

The Clerk announced that the following Senate bills had been received on Wednesday, September 5:

**Senate Bill Nos. 418 419 420 421 687**

**Reports of Standing Committees**

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

**House Bill No. 5046, entitled**

A bill to provide for restroom access for persons with certain medical conditions; to provide immunity from liability for permitting restroom access; and to prescribe penalties.

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

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

**Favorable Roll Call**

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Coulouris, Griffin, Sheltroun, Simpson, Valentine, Palsrok, Rick Jones, Knollenberg and Meltzer

Nays: None

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

**House Bill No. 5101, entitled**

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

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Coulouris, Griffin, Sheltroun, Simpson, Valentine, Palsrok, Rick Jones, Knollenberg and Meltzer

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 4, 2007

Present: Reps. Meisner, Robert Jones, Byrum, Coulouris, Griffin, Sheltroun, Simpson, Valentine, Palsrok, Rick Jones, Knollenberg and Meltzer

Absent: Reps. Accavitti, Clemente, Dean, Johnson, Hildenbrand, Huizenga and Stakoe

Excused: Reps. Accavitti, Clemente, Dean, Johnson, Hildenbrand, Huizenga and Stakoe

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

**House Bill No. 5054, entitled**

A bill to create the sexual assault victims' medical forensic intervention and treatment fund; to provide for assessments against certain criminal defendants and certain juvenile offenders; to provide for expenditures from the fund; to provide for establishment of and funding for medical forensic intervention and treatment programs for victims of criminal sexual conduct; and to prescribe the powers and duties of certain state and local governmental officers and 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. Condino, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca

Nays: None

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

**House Bill No. 5055, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1j of chapter IX (MCL 769.1j), as added by 2003 PA 70.

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, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca

Nays: None

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

**House Bill No. 5056, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18m of chapter XIIA (MCL 712A.18m), as amended by 2004 PA 102.

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, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe and Rocca

Nays: None

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

**House Bill No. 5057, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 181 (MCL 600.181), as added by 2003 PA 97.

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, Coulouris, Bieda, Corriveau, Meisner, Scott, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe 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, September 5, 2007

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

Absent: Reps. Meadows and Warren

Excused: Reps. Meadows and Warren

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

**House Bill No. 5105, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Wenke and Calley

Nays: Reps. Meltzer, Sheen and Palmer

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

**House Bill No. 5151, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 53 (MCL 208.53).

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

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported  
**Senate Bill No. 276, entitled**

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

Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Meltzer, Sheen, Pastor, Palmer, Wenke and Calley  
Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bieda, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, September 5, 2007

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

Absent: Reps. Warren, Young and Steil

Excused: Reps. Warren, Young and Steil

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**Senate Bill No. 233, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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, Alma Smith, Spade and Vagnozzi  
Nays: None

#### Communications from State Officers

The following communication from the Department of Community Health was received and read:

August 20, 2007

Enclosed is a copy of the Bureau of Health Professions annual report required by Public Act 368 of 1978 [MCL333.16143(2)] and Public Act 79 of 1993 [MCL 333.16241(8)]. The data contained in the reports covers the time period of October 1, 2005 through September 30, 2006.

If you need additional copies of the reports, please contact Angela Awrey at 517-373-8068.

Sincerely,  
Janet Olszewski  
Director

The communication was referred to the Clerk.

**Announcements by the Clerk**

August 31, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:  
Financial audit of the Michigan Legislative Retirement System, October 1, 2004 through September 30, 2006.

Richard J. Brown  
Clerk of the House

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

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

**Senate Bill No. 231, entitled**

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2008; 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; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

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

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

## Favorable Roll Call

To Report Out:

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

Nays: Reps. Acciavatti and Agema

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

**Senate Bill No. 235, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2008; 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, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi and Nofs

Nays: None

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

**Senate Bill No. 222, entitled**

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2008; 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, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade and Vagnozzi

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: Wednesday, September 5, 2007

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

Absent: Reps. Tobocman and Caul

Excused: Reps. Tobocman and Caul

**Second Reading of Bills**

Pending the Second Reading of

**Senate Bill No. 300, entitled**

A bill to amend 1867 PA 20, entitled "An act relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof," by amending section 1 (MCL 565.491), as amended by 1992 PA 211.

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

Pending the Second Reading of

**Senate Bill No. 302, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," by amending section 2 (MCL 565.452).

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

**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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

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

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

The motion prevailed.

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

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

---

Rep. Ward moved that Reps. Hildenbrand and Palsrok be excused temporarily from today's session. The motion prevailed.

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

**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.

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

**Roll Call No. 328**

**Yeas—81**

Accavitti	Coulouris	Johnson	Opsommer
Acciavatti	Cushingberry	Jones, Rick	Polidori
Amos	Dean	Jones, Robert	Proos
Angerer	Dillon	Lahti	Rocca
Ball	Donigan	Law, Kathleen	Sak
Bauer	Ebli	LeBlanc	Scott
Bennett	Emmons	Leland	Shaffer
Bieda	Espinoza	Lemmons	Sheltrown
Booher	Farrah	Lindberg	Simpson
Brown	Gaffney	Marleau	Smith, Alma
Byrnes	Gillard	Mayer	Smith, Virgil
Byrum	Gonzales	McDowell	Spade
Calley	Griffin	Meadows	Stakoe
Casperson	Hammel	Meekhof	Steil
Caswell	Hammon	Meisner	Vagnozzi
Cheeks	Hansen	Melton	Valentine
Clack	Hood	Miller	Walker
Clemente	Hopgood	Moss	Wenke
Condino	Horn	Nitz	Wojno
Constan	Jackson	Nofs	Young
Corriveau			

**Nays—23**

Agema	Huizenga	Moolenaar	Robertson
Brandenburg	Hune	Moore	Schuitmaker
DeRoche	Knollenberg	Palmer	Sheen
Elsenheimer	LaJoy	Pastor	Stahl
Garfield	Law, David	Pavlov	Ward
Hoogendyk	Meltzer	Pearce	

In The Chair: Sak

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

---

Rep. Angerer moved that Rep. Tobocman be excused temporarily from today’s session.  
 The motion prevailed.

### Second Reading of Bills

#### 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 the title and sections 4 and 9b (MCL 287.334 and 287.339b), the title as amended and section 9b as added by 1997 PA 7 and section 4 as amended by 2004 PA 280.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

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

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

The motion prevailed.

Rep. Angerer 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. 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 the title and sections 4 and 9b (MCL 287.334 and 287.339b), the title as amended and section 9b as added by 1997 PA 7 and section 4 as amended by 2004 PA 280.

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

#### Roll Call No. 329

#### Yeas—82

Accavitti	Dean	Jones, Rick	Polidori
Acciavatti	Dillon	Jones, Robert	Proos
Agema	Donigan	Lahti	Rocca
Angerer	Ebli	Law, Kathleen	Sak
Ball	Emmons	LeBlanc	Scott
Bauer	Espinoza	Leland	Shaffer
Bennett	Farrah	Lemmons	Sheltrown
Bieda	Gaffney	Lindberg	Simpson
Booher	Gillard	Mayer	Smith, Alma
Brown	Gonzales	McDowell	Smith, Virgil
Byrnes	Griffin	Meadows	Spade
Byrum	Hammel	Meekhof	Stahl
Calley	Hammon	Meisner	Stakoe
Cheeks	Hansen	Melton	Steil
Clack	Hildenbrand	Miller	Vagnozzi
Clemente	Hood	Nitz	Valentine
Condino	Hopgood	Nofs	Walker
Constan	Horn	Opsommer	Wenke
Corriveau	Huizenga	Pastor	Wojno
Coulouris	Jackson	Pearce	Young
Cushingberry	Johnson		

#### Nays—24

Amos	Garfield	Marleau	Palsrok
Brandenburg	Hoogendyk	Meltzer	Pavlov
Casperson	Hune	Moolenaar	Robertson

Caswell  
DeRoche  
Elsenheimer

Knollenberg  
LaJoy  
Law, David

Moore  
Moss  
Palmer

Schuitmaker  
Sheen  
Ward

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

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 motion prevailed.

The House agreed to the title as amended.

Rep. Angerer 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. 4862, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by amending sections 6, 9, and 11 (MCL 286.206, 286.209, and 286.211), 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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Appropriations,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Angerer 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. 4862, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by amending sections 6, 9, and 11 (MCL 286.206, 286.209, and 286.211), 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.

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

#### Roll Call No. 330

#### Yeas—83

Accavitti  
Acciavatti  
Agema  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brown  
Byrnes

Coulouris  
Cushingberry  
Dean  
Dillon  
Donigan  
Ebli  
Emmons  
Espinoza  
Farrah  
Gaffney  
Gillard

Jackson  
Johnson  
Jones, Rick  
Jones, Robert  
Lahti  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Mayes

Polidori  
Proos  
Rocca  
Sak  
Scott  
Shaffer  
Sheltrown  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade

Byrum	Gonzales	McDowell	Stahl
Calley	Griffin	Meadows	Stakoe
Casperson	Hammel	Meekhof	Steil
Caswell	Hammon	Meisner	Vagnozzi
Cheeks	Hansen	Melton	Valentine
Clack	Hildenbrand	Miller	Walker
Clemente	Hood	Nitz	Wenke
Condino	Hopgood	Nofs	Wojno
Constan	Horn	Opsommer	Young
Corriveau	Huizenga	Pearce	

### Nays—23

Amos	Hune	Moolenaar	Pavlov
Brandenburg	Knollenberg	Moore	Robertson
DeRoche	LaJoy	Moss	Schuitmaker
Elsenheimer	Law, David	Palmer	Sheen
Garfield	Marleau	Palsrok	Ward
Hoogendyk	Meltzer	Pastor	

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

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 motion prevailed.

The House agreed to the title as amended.

Rep. Angerer 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. 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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

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

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

The motion prevailed.

Rep. Angerer 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. 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.

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

**Roll Call No. 331****Yeas—81**

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

**Nays—25**

Amos	Hoogendyk	Marleau	Palsrok
Brandenburg	Huizenga	Meltzer	Pastor
Casperson	Hune	Moolenaar	Robertson
Caswell	Knollenberg	Moore	Schuitmaker
DeRoche	LaJoy	Moss	Sheen
Elsenheimer	Law, David	Palmer	Ward
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 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.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

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

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

Rep. Angerer 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. 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.

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

**Roll Call No. 332**

**Yeas—81**

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

**Nays—25**

Agema	Hune	Moolenaar	Pastor
Amos	Knollenberg	Moore	Pavlov
Brandenburg	LaJoy	Moss	Robertson
DeRoche	Law, David	Opsommer	Schuitmaker
Elsenheimer	Marleau	Palmer	Sheen
Garfield	Meltzer	Palsrok	Ward
Hoogendyk			

In The Chair: Sak

The House agreed to the title of the bill.  
Rep. Angerer 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. 675, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 675, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

#### Roll Call No. 333

#### Yeas—91

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

#### Nays—15

Amos	Gaffney	Knollenberg	Rocca
Brandenburg	Garfield	Meltzer	Sheen

DeRoche  
Emmons

Hoogendyk  
Hune

Palmer  
Pastor

Ward

In The Chair: Sak

The House agreed to the title of the bill.  
Rep. Angerer 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. 5104, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 201 (MCL 208.1201).  
Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tax Policy,  
The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

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

Rep. Bieda moved to amend the bill as follows:  
1. Amend page 4, line 27, after "**ASSET'S**" by striking out "**ADJUSTED FEDERAL**".  
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.  
Rep. Bieda moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

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

Reps. Young, Coulouris, Melton, Hammel, Polidori, Bennett, Farrah, Gonzales, Scott, Stahl, Meisner, Jackson, Cushingberry, Vagnozzi, Leland, Condino, Accavitti, Bauer, Bieda, Constan, Dean, Donigan, Robert Jones, LeBlanc, Lemmons, Mayes, Sak, Sheltroun, Alma Smith, Valentine, Tobocman and Clack offered the following resolution:

#### House Resolution No. 178.

A resolution to urge the United States Conference of Mayors to revisit and update their study of the impact of federal jobs programs in urban areas.

Whereas, In its seminal work on urban development and renewal, *Rebuilding America's Cities*, the United States Conference of Mayors outlined a policy agenda that clarified the federal government's role in supporting our cities, and, in particular, the enhancement of employment opportunities in our urban cores. This study, in part, called for a "...thorough, comprehensive private and public sector response to the nation's structural unemployment and under-employment problems." Now, nearly twenty years later, the unemployment rate is back up to the levels experienced at the time of the study. Unemployment and underemployment particularly plague many of those in our urban areas; and

Whereas, Indeed, the United States Conference of Mayors study found near Great Depression levels of unemployment in our nation's cities. This problem was widening for minorities, women, youth, and the economically dislocated who, without federal job assistance, were being left out of the knowledge and technology-based employment sectors. As our state and our nation undergo an economic transformation to the new economy, this situation is more serious now than it was in the 1980's. Clearly, it is imperative that the federal government step up and renew its support of federal jobs programs that will allow the unemployed and underemployed to become a part of the workforce of the future; and

Whereas, The United States Conference of Mayors study found that discrimination, demographic trends, worldwide inflation, energy crises, international competition, and domestic microeconomic forces all contributed to the expansion of unemployment and underemployment. These forces are with us today, and, without federal jobs programs, they will continue to thwart the state's efforts to promote jobs. Indeed, the report went on to state that "...employment is basic to the health and welfare of U. S. citizens and, consequently, can be viewed as a constitutional responsibility of the federal government."; now, therefore, be it

Resolved by the House of Representatives, That we hereby urge the United States Conference of Mayors to revisit and update their study of the impact of federal jobs programs in urban areas; and be it further

Resolved, That copies of this resolution be transmitted to the United States Conference of Mayors.

The resolution was referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Miller, Hammon, Constan, Coulouris and Hammel offered the following concurrent resolution:

**House Concurrent Resolution No. 43.**

A concurrent resolution to express the wish of the people of Michigan to erect a statue of Walter P. Reuther in place of the Zachariah Chandler statue in the National Statuary Hall Collection and to urge the Governor to establish a commission to carry out this replacement.

Whereas, The National Statuary Hall Collection was authorized by Congress in 1864 in order to allow each state to provide two statues of notable citizens for display in the United States Capitol. Lewis Cass and Zachariah Chandler represent Michigan. Federal legislation allows a state to request by resolution that the Joint Committee on the Library of Congress approve the replacement of a statue on display in the National Statuary Hall Collection; and

Whereas, We request that the statue of Zachariah Chandler, given in 1913, be replaced with a statue of Walter P. Reuther. Walter Reuther, who was born in 1907 and who died in 1970, came to Detroit to work in the auto industry. It is here that Walter Reuther forged his reputation as a union leader during the Great Depression. In the decades after World War II, Walter Reuther led the United Auto Workers as its president and succeeded in elevating autoworker wages and benefits to levels that allowed these workers to enjoy a middle class lifestyle and view the future with hope. He was an advisor to presidents, an advocate for civil rights, and a leader in reaching out to labor organizations around the world. Walter P. Reuther's efforts on behalf of the workers of an industry that defines Michigan make him worthy of representing our state in the National Statuary Hall Collection; and

Whereas, We urge the Governor to appoint a seven-person Walter P. Reuther Statue Commission to oversee the replacement process and to select a sculptor who will create a statue of Walter P. Reuther that reflects his leading role in Michigan history; and

Whereas, The commission must be able to apply for, receive and expend monies from any source, public or private, including but not limited to, gifts, grants, donations of monies and government appropriations. The commission should also have the authority to accept donations of labor, services, or other things of value from any public or private agency or person, to carry out the work of the commission; to pay the costs of the sculptor, carving or casting the statue, creating a pedestal and any desired inscription, transporting the statue and pedestal to the United States Capitol, removing and transporting the replaced statue of Zachariah Chandler, temporarily erecting the new statue of Walter Reuther in the Rotunda of the Capitol for the unveiling ceremony, and expenses related to the unveiling ceremony; and to defray any other expenses that the commission may find it necessary to incur. Individual members of the commission must fully comply with the provisions of the Act No. 196 of the Public Acts of 1973, as amended, being Section 15.341 et seq. of the Michigan Compiled Laws, governing the standards of conduct for public officers and employees of the state of Michigan; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express the wish of the people of Michigan to erect a statue of Walter P. Reuther in place of the Zachariah Chandler statue in the National Statuary Hall Collection; and be it further

Resolved, That we urge the Governor to approve this replacement and sign an agreement with the Architect of the Capitol to replace the Zachariah Chandler statue with one of Walter P. Reuther; and be it further

Resolved, That we urge the Governor to establish a seven-member Walter P. Reuther Commission to select a sculptor and to oversee the replacement process; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan and the Joint Committee on the Library of Congress.

The concurrent resolution was referred to the Committee on Government Operations.

**THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 and 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.**

Rep. Hood offered the following concurrent resolution:

**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.

Whereas, Section 5 of Act 183 of the Public Acts of 1964, as amended, being section 830.415 of the Michigan Compiled Laws, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes

and names of the members voting thereon entered in the Journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, Section 7 of Act No. 183 of the Public Acts of 1964, as amended, being section 830.417 of the Michigan Compiled Laws, requires approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the Journal, before the State may enter into a lease with the Authority upon a showing of a public purpose;

Whereas, Providing facilities and equipment to be used by the State pursuant to a lease for the Facilities is a recognized public purpose; and

Whereas, 1995 PA 128, 1999 PA 265, 2000 PA 291, 2001 PA 81, and 2005 PA 10 appropriated a total of \$247,937,200 (State Building Authority share \$226,505,900; State General Fund share \$21,431,300), to complete plans and construct the Department of State Police public safety communications system; and

Whereas, The public safety communication system known as the Department of State Police Michigan Public Safety Communication System is to be constructed in five phases and one critical platform upgrade (the "Upgrades"); and

Whereas, By Senate Concurrent Resolution No. 288 passed by the Senate and House of Representatives on December 3 and December 11, 1996, respectively, the Legislature approved the conveyance of property and a Lease for Phase I of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$35,211,085, plus interest charges on monies advanced by the State, of which not more than \$34,890,000 plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 100 passed by the Senate and House of Representatives on December 2 and December 8, 1998, respectively, the Legislature approved the conveyance of property and a Lease for Phase II of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$42,660,808, plus interest charges on monies advanced by the State of which not more than \$42,660,808, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By House Concurrent Resolution No. 80 passed by the House of Representatives and the Senate on February 29, 2000, and March 7, 2000, respectively, the Legislature approved the conveyance of property and a Lease for Phase III of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$58,964,403, plus interest charges on monies advanced by the State of which not more than \$58,964,403, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By Senate Concurrent Resolution No. 19 passed by the Senate on May 29, 2001, and the House of Representatives on June 13, 2001, the Legislature approved the conveyance of property and a Lease for Phase IV-A of the Department of State Police Two-Way Radio System and Microwave Backbone System at a total cost not to exceed \$36,336,575, plus interest charges on monies advanced by the State, of which not more than \$36,336,575, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, By House Concurrent Resolution No. 55 passed by the House of Representatives on May 12, 2004, and the Senate on May 13, 2004, the Legislature approved the conveyance of property and a Lease for Upgrades to the Department of Information Technology Michigan Public Safety Communication System Phase V (the "MPSCS") at a total cost not to exceed \$43,271,963, plus interest charges on monies advanced by the State, of which not more than \$43,271,963, plus interest charges on monies advanced by the State, shall be financed from bonds issued by the Authority; and

Whereas, The sites for the Upgrades to the MPSCS (the sites and related equipment upgrades together, the "Facilities") are located throughout the State; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facilities by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the total cost of the Department of Information Technology Michigan Public Safety Communication System Critical Platform Upgrades consisting of the Facilities shall not exceed \$13,525,482, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, if any, of which not more than \$13,525,382, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facilities, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature approves the Authority acquiring the Facilities and leasing them to the State and determines that the leasing of the Facilities from the Authority is for a public purpose as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facilities shall not be less than \$1,420,000 and not more than \$1,700,000 as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amount shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the Lease is approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Hood offered the following concurrent resolution:

**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.

Whereas, On June 3, 2004, the Michigan Legislature by House Concurrent Resolution No. 54, concurred in by each house, approved the conveyance of property to the State Building Authority (the "Authority") and approved a lease between the State of Michigan (the "State") and the Authority relative to the Department of Management and Budget Capitol Complex Renovations (the "Facility"); and

Whereas, Section 7(2) of Act No. 183 of Public Acts of 1964 requires that any lease approved by the Michigan Legislature shall not be executed more than 3 years after its approval by the Michigan Legislature; and

Whereas, The 3-year period for the Facility will have expired prior to execution of the lease for the Facility and the Michigan Legislature hereby desires to ratify, confirm, and approve the conveyance of the Facility and the lease which was previously approved on June 3, 2004; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Capitol Complex Renovations located in Ingham County is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Department of Management and Budget Capitol Complex Renovations shall not exceed \$27,563,300 (the Authority share is \$27,563,200 and the State General Fund/General Purpose share is \$100), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$27,563,200, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,890,000 and \$2,472,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Rep. Hood offered the following concurrent resolution:

**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.

Whereas, The Jackson Community College - Health Program Expansion and Information Commons project was authorized with a total cost of \$16,500,000 in 2006 PA 297; and

Whereas, The Jackson Community College - Health Program Expansion and Information Commons project was increased in cost to a revised total cost of \$17,300,000 in Senate Concurrent Resolution No. 52; and

Whereas, The Jackson Community College - Health Program Expansion and Information Commons project was revised in scope as approved by the Joint Capital Outlay Subcommittee on March 15, 2007; and

Whereas, Jackson Community College has estimated that the total cost to construct the revised Health Program Expansion and Information Commons project has increased to \$18,100,000; and

Whereas, Jackson Community College has agreed to fund the increase in the project cost of \$800,000 with the state commitment remaining at \$7,500,000; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost to construct the Jackson Community College - Health Program Expansion and Information Commons project to an amount not to exceed \$18,100,000 (State Building Authority share \$7,499,800; the State General Fund/General Purpose share \$200; and the Jackson Community College share \$10,600,000); and that the legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That copies of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, the State Building Authority, and the Jackson Community College Board of Trustees.

The concurrent resolution was referred to the Committee on Appropriations.

### Messages from the Senate

**Senate Bill No. 418, entitled**

A bill to prescribe the conditions upon which public employers may provide certain benefits; to require the compilation and release of certain information and data; to provide certain powers and duties to certain state officials, departments, agencies, and authorities; and to provide for appropriations.

The Senate has passed the bill.

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

**Senate Bill No. 419, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 632 (MCL 380.632) and by adding sections 506a, 527a, 633, 1255, and 1311m.

The Senate has passed the bill.

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

**Senate Bill No. 420, entitled**

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts," by amending section 5 (MCL 124.5), as amended by 1999 PA 83.

The Senate has passed the bill.

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

**Senate Bill No. 421, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 123 and 124 (MCL 389.123 and 389.124), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

The Senate has passed the bill.

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

**Senate Bill No. 595, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106.

The Senate has passed the bill.

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

**Senate Bill No. 687, entitled**

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

The Senate has passed the bill.

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

**Senate Concurrent Resolution No. 18.**

A concurrent resolution to express support for Northwest Airlines' application to provide nonstop service to Shanghai and Beijing, China, from Detroit.

Whereas, The United States and China reached a historic new air transport agreement on May 23, 2007, which provides for extensive new service opportunities to Shanghai and Beijing in the critical and underserved Chinese market. The United States Department of Transportation plans to award six new air routes to China between 2007 and 2009. Northwest Airlines has applied to fly nonstop from Detroit to Shanghai and from Detroit to Beijing; and

Whereas, Northwest Airlines has proven its ability to serve the Asian market from Detroit Metropolitan Airport and its WorldGateway hub, the largest and most successful airline hub gateway to China. Detroit is the largest new U.S.-China gateway in terms of local traffic. Northwest Airlines currently flies 60,000 passengers a year on connecting flights to China out of Detroit and operates nonstop routes to several Japanese cities as well. The WorldGateway hub at Detroit, with its state-of-the-art terminal facility, offers broad coverage of the entire eastern half of the United States and would provide connecting service to China from more than 100 U.S. cities; and

Whereas, The proposed China routes would serve key manufacturing and industrial interests in Michigan and the Midwest. The Wayne County Airport Authority estimates that Northwest Airlines' two new flights would generate more than \$265 million annually in economic benefit to Southeast Michigan; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Department of Transportation to ensure that Michigan remains an important gateway to Asia by approving Northwest Airlines' application to provide nonstop service to Shanghai and Beijing, China, from Detroit; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Transportation, the Federal Aviation Administration, and the members of the Michigan congressional delegation.

The Senate has adopted the concurrent resolution.

Reps. Accavitti, Bieda, Caswell, Dean, Donigan, Rick Jones, Robert Jones, LaJoy, LeBlanc, Leland, Lemmons, Marleau, Mayes, Pavlov, Polidori, Sheen, Sheltrown, Alma Smith, Stahl, Vagnozzi, Valentine, Palmer and Tobocman were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Transportation.

### Introduction of Bills

Reps. Lemmons, Dean, Kathleen Law, Valentine, Wojno and Bieda introduced

**House Bill No. 5154, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17201 and 17211 (MCL 333.17201 and 333.17211), section 17211 as amended by 2006 PA 409, and by adding sections 16327a and 17245.

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

Reps. Lemmons, Dean and Kathleen Law introduced

**House Bill No. 5155, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4bb.

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

Reps. Lemmons, Dean, Young and Scott introduced

**House Bill No. 5156, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 375 (MCL 380.375), as amended by 2004 PA 303.

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

Rep. Hune introduced

**House Bill No. 5157, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 521a (MCL 436.1521a), as added by 2006 PA 501.

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

Rep. Sheen introduced

**House Bill No. 5158, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 669 (MCL 257.669), as amended by 2002 PA 534.

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

Rep. Sheen introduced

**House Bill No. 5159, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 57 (MCL 257.1857), as amended by 2006 PA 108.

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

Reps. Marleau, David Law, Elsenheimer, Condino, Farrah, Meisner, Corriveau, Constan, Angerer, Meekhof, Knollenberg, Meadows, Bieda, Virgil Smith, Ball, Scott, Coulouris, Melton, Rocca, Green, Stakoe, Nofs, Moore, Rick Jones, Espinoza, Brown, Amos, Polidori, Ward, Huizenga, Hildenbrand, Proos, Agema, Calley, Moss, Walker, Moolenaar, Booher, Hansen, Mayes, Hopgood, Sheltroun, Shaffer, Horn, Brandenburg, Casperson, Pastor, Wenke, LaJoy, Acciavatti, Pavlov and Robertson introduced

**House Bill No. 5160, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625 (MCL 257.625), as amended by 2006 PA 564.

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

Reps. Melton and Condino introduced

**House Bill No. 5161, entitled**

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 7b and 8 (MCL 390.1457b and 390.1458), as amended by 2006 PA 478.

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

Reps. Agema, Calley, Meekhof, Stahl, Pearce, Hoogendyk, Garfield, Knollenberg, Pavlov, Casperson, Pastor, Wenke, Amos, Hildenbrand, Stakoe, Green and Elsenheimer introduced

**House Bill No. 5162, 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 5o (MCL 28.425o), as amended by 2002 PA 719.

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

Reps. Amos, Proos, Agema, Moss, Gaffney, Pastor and Nofs introduced

**House Bill No. 5163, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30101 (MCL 324.30101), as amended by 2006 PA 275.

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

Reps. Wenke, Nitz and Casperson introduced

**House Bill No. 5164, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 144 (MCL 389.144), as amended by 2003 PA 306, and by adding chapter 6 to part 1.

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

Reps. Wenke and Calley introduced

**House Bill No. 5165, entitled**

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

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

Reps. Wenke and Nitz introduced

**House Bill No. 5166, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 2 (MCL 15.232), as amended by 1996 PA 553.

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

Reps. Wenke and Nitz introduced

**House Bill No. 5167, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 8, 25, 26, 34, 61, 91, and 108 (MCL 38.1304, 38.1308, 38.1325, 38.1326, 38.1334, 38.1361, 38.1391, and 38.1408), section 4 as amended by 2007 PA 15, sections 8, 25, and 26 as amended by 1997 PA 143, sections 34 and 108 as amended by 2002 PA 94, section 61 as amended by 2006 PA 158, and section 91 as amended by 2004 PA 117, and by adding sections 41b, 60, 109, 110, 111, and 112 and article 7.

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

Reps. Wenke and Nitz introduced

**House Bill No. 5168, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 2006 PA 617.

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

Reps. Wenke and Nitz introduced

**House Bill No. 5169, entitled**

A bill to amend 1937 PA 345, entitled "Fire fighters and police officers retirement act," by amending sections 2 and 6 (MCL 38.552 and 38.556), section 6 as amended by 2003 PA 8.

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

Reps. Wenke and Nitz introduced

**House Bill No. 5170, entitled**

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending sections 7 and 24 (MCL 38.1607 and 38.1624).

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

Reps. Meadows, Clack, Alma Smith, Bauer, Gonzales, Marleau, Angerer, Vagnozzi and Meisner introduced

**House Bill No. 5171, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9205b.

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

Rep. Acciavatti introduced

**House Bill No. 5172, entitled**

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), section 11 as amended by 2004 PA 356 and section 13 as amended by 2006 PA 437.

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

---

Rep. Espinoza 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, September 6, at 12:00 Noon.

RICHARD J. BROWN  
Clerk of the House of Representatives