

**No. 96**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Tuesday, September 25, 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—excused	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—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Frank Accavitti, Jr., from the 42nd District, offered the following invocation:

“Dear God, as we start another legislative day, let us all be mindful of the work You sent us here to do. Let us remember You in each and every vote, each and every negotiation and everything we do throughout the day. We thank You for this beautiful state, we thank You for this Chamber, we thank You for our Governor, Amen.”

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

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

### Reports of Standing Committees

The Speaker laid before the House  
**House Resolution No. 175.**

A resolution to memorialize the United States Congress to reestablish medical care for certain veterans whose income and disability status disqualified them for Department of Veterans Affairs medical care as of January 17, 2003.  
(For text of resolution, see House Journal No. 77, p. 1256.)

(The resolution was reported by the Committee on Military and Veterans Affairs and Homeland Security on September 12, consideration of which, under the rules, was postponed until September 14.)

The question being on the adoption of the resolution,  
The resolution was adopted.

The Speaker laid before the House  
**House Resolution No. 156.**

A resolution to encourage Congress and the United States Department of Agriculture to implement food policies that promote healthy food, farms, and communities by encouraging local production of fruits and vegetables by specialty crop farmers.

(For text of resolution, see House Journal No. 71, p. 1146.)

(The resolution was reported by the Committee on Agriculture on September 14, with substitute (H-6), consideration of which, under the rules, was postponed until September 15.)

(For substitute, see House Journal No. 86, p. 1444.)

The question being on the adoption of the proposed substitute (H-6) recommended by the Committee,  
The substitute (H-6) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the resolution,  
The resolution was adopted.

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

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5251.**

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

#### House Bill No. 5251, 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.

The bill was read a second time.

Rep. Coulouris moved to amend the bill as follows:

1. Amend page 5, following line 26, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 276 of the 94th Legislature is enacted into law.”

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

Rep. Coulouris 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.

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Rep. Tobocman moved that Reps. Cheeks and Jackson 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. 5251, 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.

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

#### Roll Call No. 401

#### Yeas—107

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayes	Sheen
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Green	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker

Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti	Pearce	

**Nays—0**

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****Senate Bill No. 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.

The bill was read a second time.

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

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

Rep. 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. 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.

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

**Roll Call No. 402****Yeas—109**

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

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

### Nays—0

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 provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; 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.

### Second Reading of Bills

#### 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.

The bill was read a second time.

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 1, line 2, after “(1)” by striking out “The” and inserting “**EXCEPT AS OTHERWISE PROVIDED UNDER SUBSECTION (5), THE**”.

2. Amend page 5, following line 27, by inserting:

**“(5) A GOVERNING BODY OF A CITY THAT ENACTS OR ENFORCES ANY LAW, ORDINANCE, POLICY, OR RULE THAT LIMITS OR PROHIBITS A PEACE OFFICER OR LOCAL OFFICIAL, OFFICER, OR EMPLOYEE FROM COMMUNICATING OR COOPERATING WITH APPROPRIATE FEDERAL OFFICIALS CONCERNING THE IMMIGRATION STATUS OF AN INDIVIDUAL IN THIS STATE SHALL NOT LEVY, ASSESS, AND COLLECT AN EXCISE TAX ON INCOME AS AUTHORIZED UNDER SUBSECTION (1) OR CONTINUE TO LEVY AND IMPOSE THE TAX IF THE CITY HAD A VALID ORDINANCE LEVYING AND IMPOSING SUCH AN EXCISE TAX ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.**

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

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

Rep. Tobocman moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

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

**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.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion was seconded.

The question being on the adoption of the substitute (H-2) offered by Rep. Gaffney,

Rep. Tobocman demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Gaffney,

The substitute (H-2) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 403**

**Yeas—70**

Accavitti	Dillon	Johnson	Opsommer
Amos	Donigan	Jones, Robert	Pastor
Angerer	Emmons	Lahti	Pearce
Ball	Espinoza	LaJoy	Polidori
Bauer	Farrah	Law, Kathleen	Sak
Bennett	Gaffney	LeBlanc	Scott
Bieda	Gillard	Leland	Shaffer
Booher	Gonzales	Lemmons	Sheltrown
Byrnes	Green	Lindberg	Smith, Alma
Calley	Griffin	Marleau	Smith, Virgil
Cheeks	Hammel	Mayer	Stakoe
Clack	Hammon	McDowell	Tobocman
Clemente	Hansen	Meadows	Vagnozzi
Condino	Hildenbrand	Meisner	Warren
Constan	Hood	Melton	Wenke
Coulouris	Hopgood	Miller	Wojno
Cushingberry	Huizenga	Nitz	Young
Dean	Jackson		

**Nays—39**

Acciavatti	Elsenheimer	Moolenaar	Schuitmaker
Brandenburg	Garfield	Moore	Sheen
Brown	Hoogendyk	Moss	Simpson
Byrum	Horn	Nofs	Spade
Casperson	Hune	Palmer	Stahl
Caswell	Jones, Rick	Palsrok	Steil
Caul	Knollenberg	Pavlov	Valentine

Corriveau	Law, David	Proos	Walker
DeRoche	Meekhof	Robertson	Ward
Ebli	Meltzer	Rocca	

In The Chair: Sak

The question being on the passage of the bill,

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

**House Bill No. 5123, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending sections 2 and 3 (MCL 207.842 and 207.843), section 2 as amended by 2006 PA 554.

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

**Roll Call No. 404**

**Yeas—109**

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

**Nays—0**

In The Chair: Sak

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

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

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 2 (MCL 207.842), as amended by 2006 PA 554.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

### **Reports of Standing Committees**

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

#### **House Bill No. 4847, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

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

1. Amend page 2, line 12, after "UNDER" by striking out the balance of the line through "(5)" on line 13 and inserting "SUBSECTION (4)".

2. Amend page 2, line 22, by striking out all of subsection (5).

The bill and amendments 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, McDowell, Alma Smith, Spade, Acciavatti, Brandenburg, Amos, Caul, Proos and Moss

Nays: Reps. LeBlanc, Vagnozzi, Caswell, Shaffer, Booher, Hansen and Nofs

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

#### **House Bill No. 5257, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2003 PA 107.

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, Acciavatti, Caswell, Shaffer, Amos, Booher, Caul, Hansen, Proos, Moss and Nofs

Nays: Rep. Brandenburg

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

#### **House Bill No. 5258, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 1101 (MCL 450.5101), as amended by 2003 PA 81.

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, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Moss and Nofs

Nays: None

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Tourism, Outdoor Recreation and Natural Resources be discharged from further consideration of **House Resolution No. 183**.

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

The resolution was placed on the order of Reports of Standing Committees.

**Reports of Standing Committees****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.

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

(The resolution was discharged from the Committee on Tourism, Outdoor Recreation and Natural Resources on September 25, consideration of which, under the rules, was postponed until September 26.)

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,

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

**Substitute for 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.

Whereas, Seasonal workers are an essential component of the tourism and recreational industries of our state and nation. Even though thousands of young people use seasonal employment to begin their journey on the path to a career, many tourism areas do not have the populations necessary to fill all the seasonal jobs available. In Michigan, for example, Mackinac Island hires up to 4,500 seasonal workers each year. The island's 500 year-round residents cannot supply the workforce necessary for peak season employment levels; and

Whereas, Foreign workers supplement the seasonal staff needs in a host of our tourism and recreation destinations. Many of these employees are in our country under the H2B visa program; and

Whereas, All workers under the H2B visa program are here legally, are tracked by the federal government to ensure they are doing the work prescribed under their visa, and are paid under federally prescribed wage scales; and

Whereas, Recently, the Congress of the United States took action to help alleviate problems with the H2B visa program by capping the number of visas available at 66,000 but also exempting workers who already have H2B visas. This action ensured that there is enough of a workforce available for those industries that depend on seasonal workers; and

Whereas, Currently, there is a sunset in the law at the federal level that would remove the returning worker exemption. As of September 30, 2007, every returning worker would again be considered a new worker and be forced to apply under the 66,000 visa limit. This cap had been reached for each of the previous few years before Congress took action, just as the national economy has surged and more and more people are traveling. This cap also distorted hiring patterns across the nation, as employers are forced to put on workers far beyond service needs to help assure that they will have the employees they need when their season begins; and

Whereas, Legislation has been introduced in the Congress of the United States to revise the H2B visa program. The measure would extend the H2B returning worker exemption by removing the sunset language from current law. Clearly, this is an issue that needs prompt action; now, therefore, be it

Resolved by the House of Representatives, That we 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 be it further Resolved, That we also memorialize Congress not to enact legislation granting amnesty to illegal aliens; 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 motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

The question being on the adoption of the resolution,  
The resolution was adopted.

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 to reconsider the vote by which the House did not adopt the substitute (H-1) offered previously by Rep. Pavlov.

The motion prevailed, a majority of the members serving voting therefor.  
The question being on the adoption of the substitute (H-1) offered previously by Rep. Pavlov,  
The substitute (H-1) was adopted, a majority of the members serving voting therefor.  
The question being on the adoption of the resolution,  
The resolution was adopted.

### Second Reading of Bills

#### House Bill No. 5257, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2003 PA 107.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5257, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 2003 PA 107.

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

#### Roll Call No. 405

#### Yeas—86

Accavitti	Cushingberry	Jackson	Robertson
Acciavatti	Dean	Johnson	Rocca
Angerer	Dillon	Jones, Robert	Sak
Ball	Donigan	Lahti	Schuitmaker
Bauer	Ebli	Law, Kathleen	Scott
Bennett	Elsenheimer	LeBlanc	Shaffer
Bieda	Emmons	Leland	Sheltrown
Booher	Espinoza	Lemmons	Simpson
Brown	Farrah	Lindberg	Smith, Alma
Byrnes	Gaffney	Mayer	Smith, Virgil

Byrum	Gillard	McDowell	Spade
Calley	Gonzales	Meadows	Stakoe
Casperson	Green	Meisner	Steil
Caswell	Griffin	Melton	Tobocman
Caul	Hammel	Miller	Vagnozzi
Cheeks	Hammon	Moore	Valentine
Clack	Hansen	Nofs	Walker
Clemente	Hildenbrand	Palsrok	Warren
Condino	Hood	Pearce	Wenke
Constan	Hopgood	Polidori	Wojno
Corriveau	Horn	Proos	Young
Coulouris	Huizenga		

### Nays—23

Amos	Jones, Rick	Meltzer	Pastor
Brandenburg	Knollenberg	Moolenaar	Pavlov
DeRoche	LaJoy	Moss	Sheen
Garfield	Law, David	Nitz	Stahl
Hoogendyk	Marleau	Opsommer	Ward
Hune	Meekhof	Palmer	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### House Bill No. 5258, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 1101 (MCL 450.5101), as amended by 2003 PA 81.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5258, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending section 1101 (MCL 450.5101), as amended by 2003 PA 81.

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

### Roll Call No. 406

### Yeas—91

Accavitti	Cushingberry	Johnson	Proos
Acciavatti	Dean	Jones, Robert	Robertson

Angerer	Dillon	Lahti	Rocca
Ball	Donigan	LaJoy	Sak
Bauer	Ebli	Law, Kathleen	Schuitmaker
Bennett	Elsenheimer	LeBlanc	Scott
Bieda	Emmons	Leland	Shaffer
Booher	Espinoza	Lemmons	Sheltrown
Brandenburg	Farrah	Lindberg	Simpson
Brown	Gaffney	Mayer	Smith, Alma
Byrnes	Gillard	McDowell	Smith, Virgil
Byrum	Gonzales	Meadows	Spade
Calley	Green	Meekhof	Stakoe
Casperson	Griffin	Meisner	Steil
Caswell	Hammel	Melton	Tobocman
Caul	Hammon	Miller	Vagnozzi
Cheeks	Hansen	Moore	Valentine
Clack	Hildenbrand	Nitz	Walker
Clemente	Hood	Nofs	Warren
Condino	Hopgood	Palsrok	Wenke
Constan	Horn	Pavlov	Wojno
Corriveau	Huizenga	Pearce	Young
Coulouris	Jackson	Polidori	

### Nays—18

Amos	Jones, Rick	Moolenaar	Pastor
DeRoche	Knollenberg	Moss	Sheen
Garfield	Law, David	Opsommer	Stahl
Hoogendyk	Marleau	Palmer	Ward
Hune	Meltzer		

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### House Bill No. 4847, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see today's Journal, p. 1560),

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

Rep. Hune moved to amend the bill as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 303. (1) The secretary of state shall not issue a license under this act to any of the following persons:

- (a) A person, as an operator, who is less than 18 years of age, except as otherwise provided in this act.
- (b) A person, as a chauffeur, who is less than 18 years of age, except as otherwise provided in this act.
- (c) A person whose license is suspended, revoked, denied, or canceled in any state. If the suspension, revocation, denial, or cancellation is not from the jurisdiction that issued the last license to the person, the secretary of state may issue a license after the expiration of 5 years from the effective date of the most recent suspension, revocation, denial, or cancellation.

(d) A person who in the opinion of the secretary of state is afflicted with or suffering from a physical or mental disability or disease preventing that person from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle upon the highways.

(e) A person who is unable to understand highway warning or direction signs in the English language.

(f) A person who is unable to pass a knowledge, skill, or ability test administered by the secretary of state in connection with the issuance of an original operator's or chauffeur's license, original motorcycle indorsement, or an original or renewal of a vehicle group designation or vehicle indorsement.

(g) A person who has been convicted of, has received a juvenile disposition for, or has been determined responsible for 2 or more moving violations under a law of this state, a local ordinance substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state within the preceding 3 years, if the violations occurred before issuance of an original license to the person in this state, another state, or another country.

(h) A nonresident, including, but not limited to, a foreign exchange student.

(i) A person who has failed to answer a citation or notice to appear in court or for any matter pending or fails to comply with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, in violation of section 321a, until that person answers the citation or notice to appear in court or for any matter pending or complies with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, as provided under section 321a.

(j) A person not licensed under this act who has been convicted of, has received a juvenile disposition for, or has been determined responsible for a crime or civil infraction described in section 319, 324, or 904. A person shall be denied a license under this subdivision for the length of time corresponding to the period of the licensing sanction that would have been imposed under section 319, 324, or 904 if the person had been licensed at the time of the violation.

(k) A person not licensed under this act who has been convicted of or received a juvenile disposition for committing a crime described in section 319e. A person shall be denied a license under this subdivision for the length of time that corresponds to the period of the licensing sanction that would have been imposed under section 319e if the person had been licensed at the time of the violation.

(l) A person not licensed under this act who is determined to have violated section 33b(1) of former 1933 (Ex Sess) PA 8, section 703(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or section 624a or 624b of this act. The person shall be denied a license under this subdivision for a period of time that corresponds to the period of the licensing sanction that would have been imposed under those sections had the person been licensed at the time of the violation.

(m) A person whose commercial driver license application is canceled under section 324(2).

**(N) A PERSON WHO THE SECRETARY OF STATE DETERMINES IS IN THIS COUNTRY ILLEGALLY.**

(2) Upon receiving the appropriate records of conviction, the secretary of state shall revoke the operator's or chauffeur's license of a person and deny issuance of an operator's or chauffeur's license to a person having any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state:

(a) Any combination of 2 convictions within 7 years for reckless driving in violation of section 626.

(b) Any combination of 2 or more convictions within 7 years for any of the following:

(i) A felony in which a motor vehicle was used.

(ii) A violation or attempted violation of section 601b(2) or (3), section 601c(1) or (2), section 602a(4) or (5), section 617, section 653a(3) or (4), or section 904(4) or (5).

(iii) Negligent homicide, manslaughter, or murder resulting from the operation of a vehicle or an attempt to commit any of those crimes.

(iv) A violation or attempted violation of section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

(c) Any combination of 2 convictions within 7 years for any of the following or a combination of 1 conviction for a violation or attempted violation of section 625(6) and 1 conviction for any of the following within 7 years:

(i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

(ii) A violation or attempted violation of section 625m.

(iii) Former section 625b.

(d) One conviction for a violation or attempted violation of section 315(5), section 601b(3), section 601c(2), section 602a(4) or (5), section 617, section 625(4) or (5), section 653a(4), or section 904(4) or (5).

(e) One conviction of negligent homicide, manslaughter, or murder resulting from the operation of a vehicle or an attempt to commit any of those crimes.

(f) One conviction for a violation or attempted violation of section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

(g) Any combination of 3 convictions within 10 years for any of the following or 1 conviction for a violation or attempted violation of section 625(6) and any combination of 2 convictions for any of the following within 10 years, if any of the convictions resulted from an arrest on or after January 1, 1992:

(i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

(ii) A violation or attempted violation of section 625m.

(iii) Former section 625b.

(3) The secretary of state shall revoke a license under subsection (2) notwithstanding a court order unless the court order complies with section 323.

(4) The secretary of state shall not issue a license under this act to a person whose license has been revoked under this act or revoked and denied under subsection (2) until all of the following occur, as applicable:

(a) The later of the following:

(i) The expiration of not less than 1 year after the license was revoked or denied.

(ii) The expiration of not less than 5 years after the date of a subsequent revocation or denial occurring within 7 years after the date of any prior revocation or denial.

(b) For a denial under subsection (2)(a), (b), (c), and (g), the person rebuts by clear and convincing evidence the presumption resulting from the prima facie evidence that he or she is a habitual offender. The convictions that resulted in the revocation and denial constitute prima facie evidence that he or she is a habitual offender.

(c) The person meets the requirements of the department.

(5) The secretary of state may deny issuance of an operator's license as follows:

(a) Until the age of 17, to a person not licensed under this act who was convicted of or received a juvenile disposition for violating or attempting to violate section 411a(2) of the Michigan penal code, 1931 PA 328, MCL 750.411a, involving a school when he or she was less than 14 years of age. A person not issued a license under this subdivision is not eligible to begin graduated licensing training until he or she attains 16 years of age.

(b) To a person less than 21 years of age not licensed under this act who was convicted of or received a juvenile disposition for violating or attempting to violate section 411a(2) of the Michigan penal code, 1931 PA 328, MCL 750.411a, involving a school when he or she was less than 14 years of age or older, until 3 years after the date of the conviction or juvenile disposition. A person not issued a license under this subdivision is not eligible to begin graduated licensing training or otherwise obtain an original operator's or chauffeur's license until 3 years after the date of the conviction or juvenile disposition.

(6) The secretary of state shall deny issuance of a vehicle group designation to a person if the person has been disqualified by the United States secretary of transportation from operating a commercial motor vehicle.

(7) Multiple convictions or civil infraction determinations resulting from the same incident shall be treated as a single violation for purposes of denial or revocation of a license under this section.

(8) As used in this section, "felony in which a motor vehicle was used" means a felony during the commission of which the person operated a motor vehicle and while operating the vehicle presented real or potential harm to persons or property and 1 or more of the following circumstances existed:

(a) The vehicle was used as an instrument of the felony.

(b) The vehicle was used to transport a victim of the felony.

(c) The vehicle was used to flee the scene of the felony.

(d) The vehicle was necessary for the commission of the felony."

The question being on the adoption of the amendment offered by Rep. Hune,

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

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 774**.

(For first notice see House Journal No. 95, p. 1551.)

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. 774, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 8, 9, and 10 (MCL 207.628, 207.629, and 207.630), section 8 as amended by 1993 PA 58 and section 9 as amended by 2005 PA 312.

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. 774, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 8, 9, and 10 (MCL 207.628, 207.629, and 207.630), section 8 as amended by 1993 PA 58 and section 9 as amended by 2005 PA 312.

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

#### Roll Call No. 407

#### Yeas—72

Accavitti	Coulouris	Hood	Pearce
Acciavatti	Cushingberry	Hopgood	Polidori
Angerer	Dean	Jackson	Proos
Bauer	Dillon	Johnson	Sak
Bennett	Donigan	Jones, Robert	Scott
Bieda	Ebli	Lahti	Shaffer
Brown	Emmons	Law, Kathleen	Sheltrown
Byrnes	Espinoza	LeBlanc	Simpson
Byrum	Farrah	Leland	Smith, Alma
Calley	Gaffney	Lemmons	Smith, Virgil
Caswell	Gillard	Lindberg	Spade
Caul	Gonzales	Mayes	Stahl
Cheeks	Green	McDowell	Steil
Clack	Griffin	Meadows	Tobocman
Clemente	Hammel	Meisner	Vagnozzi
Condino	Hammon	Melton	Valentine
Constan	Hansen	Miller	Warren
Corriveau	Hildenbrand	Moore	Wojno

#### Nays—37

Amos	Huizenga	Moolenaar	Robertson
Ball	Hune	Moss	Rocca
Booher	Jones, Rick	Nitz	Schuitmaker
Brandenburg	Knollenberg	Nofs	Sheen
Casperson	LaJoy	Opsommer	Stakoe
DeRoche	Law, David	Palmer	Walker
Elsenheimer	Marleau	Palsrok	Ward
Garfield	Meekhof	Pastor	Wenke
Hoogendyk	Meltzer	Pavlov	Young
Horn			

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 impose a state excise tax on persons engaged in the business of providing rooms for dwelling, lodging, or sleeping purposes to transient guests in certain counties; to provide for the levy, assessment, and collection of the tax; to provide for the disposition and appropriation of the collections from the tax; to create a convention facility development fund; to authorize the distributions from the fund; to authorize the use of distributions from the tax as security for any bonds, obligations, or other evidences of indebtedness issued to finance convention facilities as provided by law; to prescribe certain other matters relating to bonds, obligations, or other evidences of indebtedness issued for such purposes.”

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

#### **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 Tuesday, September 25:

<b>House Bill No.</b>	<b>5261</b>														
<b>Senate Bill Nos.</b>	<b>802</b>	<b>803</b>	<b>804</b>	<b>805</b>	<b>806</b>	<b>807</b>	<b>808</b>	<b>809</b>	<b>810</b>	<b>811</b>	<b>812</b>	<b>813</b>	<b>814</b>	<b>815</b>	

The Clerk announced that the following Senate bills had been received on Tuesday, September 25:

<b>Senate Bill Nos.</b>	<b>643</b>	<b>796</b>
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#### **Reports of Standing Committees**

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

##### **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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

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

Nays: None

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

##### **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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.



## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

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

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 25, 2007

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

Absent: Rep. Agema

Excused: Rep. Agema

**Messages from the Senate****House Bill No. 5194, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30, 51, 261, 266, and 270 (MCL 206.30, 206.51, 206.261, 206.266, and 206.270), section 30 as amended by 2005 PA 214, section 51 as amended by 1999 PA 6, section 261 as amended by 2000 PA 195, section 266 as amended by 2006 PA 52, and section 270 as amended by 2005 PA 234; and to repeal acts and parts of acts.

The Senate has appointed Sens. Jelinek, George and Prusi as conferees to join with Reps. Tobocman, Meisner and Ward. The bill was referred to the Conference Committee.

**Senate Bill No. 229, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has nonconcurrent in the House substitute (H-9) and appointed Senators Pappageorge, Jansen and Anderson as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Cheeks, Cushingberry and Hansen.

The message was referred to the Clerk for record.

**Senate Bill No. 643, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

The Senate has passed the bill.

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

**Senate Bill No. 796, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2005 PA 83.

The Senate has passed the bill.

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

### Notices

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 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. 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 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 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 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 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 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 Commerce from further consideration of **House Bill No. 4901**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 4389**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 374**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 204**.

Rep. Tobocman

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 Appropriations from further consideration of **Senate Bill No. 772**.

Rep. Elsenheimer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 773**.

Rep. Elsenheimer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **Senate Bill No. 687**.

Rep. Calley

### Introduction of Bills

Reps. Young and Cushingberry introduced  
**House Bill No. 5262, entitled**

A bill to create the Michigan summer sweep program; to prescribe the powers and duties of certain state departments; and to establish a fund and provide for the administration of that fund.

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

Rep. Young introduced

**House Bill No. 5263, entitled**

A bill to amend 1969 PA 224, entitled "An act to license and regulate dealers in and research facilities using dogs and cats for research purposes; and to repeal certain acts and parts of acts," by amending sections 1, 8, and 9 (MCL 287.381, 287.388, and 287.389).

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

Rep. Young introduced

**House Bill No. 5264, entitled**

A bill to create the Michigan job training corps; to encourage employment-related educational opportunities for youth; to provide for participation by certain employers; to prescribe the powers and duties of certain departments; to establish a fund and provide for the administration of that fund; and to make an appropriation.

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

Reps. Wenke and Nofs introduced

**House Bill No. 5265, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 3 (MCL 125.1653), as amended by 2005 PA 115.

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

Reps. Wenke and Nofs introduced

**House Bill No. 5266, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 4 (MCL 125.2154), as amended by 2005 PA 15.

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

Reps. Wenke and Nofs introduced

**House Bill No. 5267, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 3 (MCL 125.1803), as amended by 2005 PA 14.

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

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Rep. Cheeks moved that the House adjourn.

The motion prevailed, the time being 6:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 26, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives