

**No. 14**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2008**

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House Chamber, Lansing, Thursday, February 14, 2008.

12:00 Noon.

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—excused	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—e/d/s	Proos—present
Amos—excused	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—excused	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—excused	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. John R. Pastor, from the 19th District, offered the following invocation:

“Good and gracious God, we thank You for Your many signs of goodness to us, for the beauty of nature, the joy of family, the security of our land, and the companionship of colleagues who work together for the continued improvement of society.

As we gather together, we ask blessings upon our deliberations, believing that You, O Lord, provide guidance when we allow our minds to be open to Your inspiration. Grant us positive thoughts and honest interactions which will contribute to the best results for the greatest number of our citizens.

Finally, Lord, we thank You for this great celebration of Valentine’s Day which reminds us of the strength of love as we accomplish our work for the good of our neighbor. Grant us consolation in serving others and joy in knowing that our collective efforts contribute to the good of all Your people.

Please pray for all of us, born and unborn. In Your name we pray, Amen.”

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Rep. Booher moved that Reps. Acciavatti, Amos and Meekhof be excused from today’s session.  
The motion prevailed.

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

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

### Messages from the Senate

#### House Bill No. 4505, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 40b, 50a, 51a, 251b, 251d, 302, 303, 307, 310, 315, 318, 511, 728, 749, 801, 814, and 819 (MCL 257.40b, 257.50a, 257.51a, 257.251b, 257.251d, 257.302, 257.303, 257.307, 257.310, 257.315, 257.318, 257.511, 257.728, 257.749, 257.801, 257.814, and 257.819), section 40b as added by 1997 PA 100, section 50a as added and section 315 as amended by 1999 PA 118, sections 302, 303, and 307 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 728 as amended by 1993 PA 301, section 749 as amended by 1984 PA 331, section 801 as amended by 2006 PA 562, and section 819 as amended by 1990 PA 168.

The Senate has substituted (S-6) the bill.

The Senate has passed the bill as substituted (S-6), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 40b, 50a, 51a, 251b, 251d, 302, 303, 307, 310, 314, 315, 318, 511, 728, 749, 801, 814, and 819 (MCL 257.40b, 257.50a, 257.51a, 257.251b, 257.251d, 257.302, 257.303, 257.307, 257.310, 257.314, 257.315, 257.318, 257.511, 257.728, 257.749, 257.801, 257.814, and 257.819), section 40b as added by 1997 PA 100, section 50a as added and section 315 as amended by 1999 PA 118, sections 302, 303, 307, and 314 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 728 as amended by 1993 PA 301, section 749 as amended by 1984 PA 331, section 801 as amended by 2006 PA 562, and section 819 as amended by 1990 PA 168.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

The question being on concurring in the (S-6) made to the bill by the Senate,

The substitute (S-6) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 50****Yeas—99**

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

**Nays—5**

Agema	Opsommer	Sheen	Tobocman
Cushingberry			

In The Chair: Sak

The House agreed to the title as amended.

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

Rep. Tobocman, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

It is my firm belief that the safety and security of Michigan residents is jeopardized by the passage of this bill. Clearly, the Legislature needed to address the debacle created by Attorney General Cox’s erroneous opinion, as well as Secretary

of State Land's draconian and overreaching implementation of this policy. During this economic crisis, the last thing Michigan needs is the political gamesmanship shown by these State leaders that has permanently damaged Michigan's reputation as an international business leader.

It is truly sad that, at a time when our Michigan Economic Development Corporation and Governor have been successfully recruiting foreign investments that have produced thousands of jobs and millions of dollars in economic activity, the Attorney General and Secretary of State have chosen to grandstand against immigrants (albeit legal ones).

The physical security of Michigan residents, on our roads, as well as from crime and terrorism, are placed in jeopardy, when tens of thousands of drivers and residents in our state are driven underground and the incentives to attain auto insurance, pass a road test and demonstrate familiarity with our road regulations are removed. National security experts have agreed that our country is far safer when more people are in our state driver's license databases. This bill will vastly increase the number of unidentified persons in Michigan.

This bill will prohibit undocumented residents in Michigan from getting a driver's license. As such, they will be far less likely to attain auto insurance or enroll in driver's safety courses. This will increase the number of auto accidents, as well as the number of times people flee from accidents. In Illinois, it has been estimated that a policy similar to this one raised auto insurance rates by an average of \$117 per year. Michigan, with the highest auto insurance rates in the country, should be following the lead of states like New Mexico and Utah, which have seen rates drop 67% and 35%, respectively, after state policies were broadened to insure all drivers could obtain valid driver's licenses.

I also fear the criminal activity that I expect to be fostered by this bill. By forcing Michigan drivers underground to obtain driver's licenses, we are subsidizing a criminal activity that has been documented at our Secretary of State's offices, as well as those of other states.

Finally, I find this bill to be inhumane and an abomination to the values that make Michigan and America great. It is designed to tear immigrant families apart and to deny a reasonable quality of life to those who have come to Michigan to make a better way of life, to contribute to our economy, and to enjoy the personal freedoms of this great nation. I venture to guess that this bill would have greatly harmed the parents, grandparents, and great-grandparents of the vast majority of this Legislature. I do not believe that most of us would have had the chance to enjoy the riches of this state, nor serve in the leadership positions we enjoy, if Michigan were run decades ago as it is being run today.

The real solution to this issue lays in comprehensive immigration reform. One can only hope that we elect a President and Congress with the courage to create just and real solutions to these challenges."

Rep. Agema, having reserved the right to explain his nay vote, made the following statement:

"Mr. Speaker and members of the House:

This bill still allows the Sec of State to issue drivers licenses (hard copy) without checking the SSLOW. It also allows non US citizens to obtain licenses without checking with the SAVE program."

Rep. Opsommer, having reserved the right to explain his nay vote, made the following statement:

"Mr. Speaker and members of the House:

This important bill is being unnecessarily rushed through today under the auspice that the Attorney General's opinion is in need of being 'fixed'. To the contrary, AG opinion # 7210 is clear and straightforward that those without legal presence in this country can not legally get licenses in Michigan, while not affecting any other areas of the law. I would like to thank my colleague Rick Jones and the Attorney General for that decision, which is now law in Michigan.

Differences in how 7210 was being interpreted could be settled without this bill, as I agree that it is critically important that all people who are legally in Michigan be allowed to drive here. To achieve that goal through this bill is not necessary if the bill is interpreted correctly, and I have concerns that this bill, in a rush, may undue aspects of Opinion # 7210 and not go far enough in making sure that illegals truly can not get licenses, and may on the other hand go too far in violating the inalienable constitutional rights of our legal citizens. For example, I believe that how social security numbers are verified still needs to be addressed, and that the language needs to be tightened in that regard. At the same time, I am extremely disappointed that there is no restriction on computer chip or ink based RFID in this bill, a technology that should be banned for use in conjunction with driver's licenses in Michigan. Lastly, I am concerned that language that more explicitly prohibits the routine sharing of our driver license database information with foreign countries, as is being called for by the international 501c3 known as AAMVA in their proposed Drivers License Agreement, is not addressed here. Michigan residents do not want their drivers license data to be accessible to bureaucrats in foreign countries such as Mexico and Canada, nor do they want intrusive technologies or biometrics to infringe upon their God given inalienable rights.

For these reasons I vote no today, and believe that Opinion # 7210 is a preferential legal document for ensuring the inability of illegal aliens to get Michigan's drivers licenses. A correct interpretation makes this bill unnecessary."

### Second Reading of Bills

#### Senate Bill No. 155, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 60 of 2007, p. 907),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Condino 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. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:

“Enacting section 1. This amendatory act takes effect June 1, 2009.” and renumbering the remaining enacting section.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 155, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

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

#### Roll Call No. 51

#### Yeas—106

Accavitti	Ebli	LaJoy	Polidori
Agema	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	Meisner	Smith, Alma
Calley	Hammon	Melton	Smith, Virgil
Casperson	Hansen	Meltzer	Spade
Caswell	Hildenbrand	Miller	Stahl
Caul	Hood	Moolenaar	Stakoe
Clack	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Hune	Opsommer	Walker
Coulouris	Jackson	Palmer	Ward

Cushingberry	Johnson	Palsrok	Warren
Dean	Jones, Rick	Pastor	Wenke
DeRoche	Jones, Robert	Pavlov	Wojno
Dillon	Knollenberg	Pearce	Young
Donigan	Lahti		

### 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 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2007 PA 220.

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.

### Second Reading of Bills

#### Senate Bill No. 123, entitled

A bill to amend 1982 PA 162, entitled “Nonprofit corporation act,” by amending sections 106, 133, 141, 143, 151, 404, 405, 407, 413, 421, 441, 446, 451, 521, 525, 901, 1103, and 1144 (MCL 450.2106, 450.2133, 450.2141, 450.2143, 450.2151, 450.2404, 450.2405, 450.2407, 450.2413, 450.2421, 450.2441, 450.2446, 450.2451, 450.2521, 450.2525, 450.2901, 450.3103, and 450.3144), sections 1103 and 1144 as added by 1984 PA 209, and by adding section 406a.

The bill was read a second time.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 6, line 22, after “**BY**” by inserting “**ANY PROVISIONS OF**”.

2. Amend page 7, line 9, after “**SHAREHOLDER**” by striking out “**AND**” and inserting “**OR**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 123, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending sections 106, 133, 141, 143, 151, 404, 405, 407, 413, 421, 441, 446, 451, 521, 525, 901, 1103, and 1144 (MCL 450.2106, 450.2133, 450.2141, 450.2143, 450.2151, 450.2404, 450.2405, 450.2407, 450.2413, 450.2421, 450.2441, 450.2446, 450.2451, 450.2521, 450.2525, 450.2901, 450.3103, and 450.3144), sections 1103 and 1144 as added by 1984 PA 209, and by adding section 406a.

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

**Roll Call No. 52**

**Yeas—106**

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

**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 revise, consolidate, and classify the laws relating to the organization and regulation of certain nonprofit corporations; to prescribe their duties, rights, powers, immunities, and liabilities; to provide for the authorization of foreign nonprofit corporations within this state; to impose certain duties on certain state departments; to prescribe fees; to prescribe penalties for violations of this act; and to repeal certain 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

#### Senate Bill No. 97, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5h.

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

“Enacting section 1. This amendatory act takes effect June 1, 2008.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 97, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5h.

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

#### Roll Call No. 53

#### Yeas—106

Accavitti	Ebli	LaJoy	Polidori
Agema	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	Meisner	Smith, Alma
Calley	Hammon	Melton	Smith, Virgil
Casperson	Hansen	Meltzer	Spade
Caswell	Hildenbrand	Miller	Stahl
Caul	Hood	Moolenaar	Stakoe
Clack	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Hune	Opsommer	Walker
Coulouris	Jackson	Palmer	Ward
Cushingberry	Johnson	Palsrok	Warren
Dean	Jones, Rick	Pastor	Wenke



DeRoche  
Dillon  
Donigan

Jones, Robert  
Knollenberg  
Lahti

Pavlov  
Pearce

Wojno  
Young

**Nays—0**

In The Chair: Sak

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

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

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5l.

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.

**Second Reading of Bills**

**Senate Bill No. 565, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 110 and 111 (MCL 750.110 and 750.111), section 110 as amended by 1994 PA 270.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 9, after “effect” by striking out the balance of the enacting section and inserting “June 1, 2008.”.

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

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

The motion prevailed.

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

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

Rep. Shaffer moved that Rep. Horn be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 565, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 110 and 111 (MCL 750.110 and 750.111), section 110 as amended by 1994 PA 270.

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

**Roll Call No. 54**

**Yeas—105**

Accavitti  
Agema  
Angerer  
Ball

Ebli  
Elsenheimer  
Emmons  
Espinoza

LaJoy  
Law, David  
Law, Kathleen  
LeBlanc

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

### 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 revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

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. 4894, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 73105 (MCL 324.73105), as added by 1995 PA 58.

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

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.

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Rep. David Law moved that Rep. LaJoy 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. 4894, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 73105 (MCL 324.73105), as added by 1995 PA 58.

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

**Roll Call No. 55**

**Yeas—103**

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

**Nays—1**

Lindberg

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. 5463, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 410 (MCL 208.1410).

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

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

Rep. Melton 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. 5463, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 410 (MCL 208.1410).

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

**Roll Call No. 56**

**Yeas—99**

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

**Nays—6**

Bennett	Gillard	Vagnozzi	Walker
Caswell	Miller		

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. 5666, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 14 (MCL 207.564), as amended by 2007 PA 39.

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

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

Rep. Dean 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. 5666, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 14 (MCL 207.564), as amended by 2007 PA 39.

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

#### Roll Call No. 57

#### Yeas—105

Accavitti	Ebli	Lahti	Polidori
Agema	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	Meisner	Smith, Alma
Calley	Hammon	Melton	Smith, Virgil
Casperson	Hansen	Meltzer	Spade
Caswell	Hildenbrand	Miller	Stahl
Caul	Hood	Moolenaar	Stakoe
Clack	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Hune	Opsommer	Walker
Coulouris	Jackson	Palmer	Ward

Cushingberry  
Dean  
DeRoche  
Dillon  
Donigan

Johnson  
Jones, Rick  
Jones, Robert  
Knollenberg

Palsrok  
Pastor  
Pavlov  
Pearce

Warren  
Wenke  
Wojno  
Young

### Nays—0

In The Chair: Sak

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

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

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 14 (MCL 207.564), as amended by 2007 PA 146.

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.

### Second Reading of Bills

#### House Bill No. 4730, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 4d.

(The bill was read a second time, substitute (H-1) adopted and bill postponed temporarily on November 27, 2007, see House Journal No. 125 of 2007, p. 2295.)

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“Enacting section 1. Section 3d of the use tax act, 1937 PA 94, MCL 205.93d, is repealed immediately after it takes effect on December 1, 2007.”.

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4505 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4406 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. Meltzer moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5211 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. Meekhof moved to amend the bill as follows:

1. Amend page 1, line 1, after “(1)” by striking out “**BEGINNING 1 YEAR AFTER THE EFFECTIVE DATE OF THE RULES PROMULGATED UNDER SUBSECTION (2),**” and inserting “**BEGINNING IN THE NEXT CODE CYCLE TO TAKE EFFECT NO LESS THAN 3 YEARS AFTER THE EFFECTIVE DATE OF THE RULES PROMULGATED UNDER SUBSECTION (2),**”.

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“(4) The cost of a carbon monoxide detector shall be credited against a taxpayer’s liability under the Michigan Business Tax Act (Public Act 36 of 2007).”.

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 1, line 9, after “(1).” by inserting “**HOWEVER, THOSE RULES SHALL NOT REQUIRE HARD-WIRED CARBON MONOXIDE DETECTORS IN ALL ROOMS AND SHALL REQUIRE A HARD-WIRED CARBON MONOXIDE DETECTOR IN ANY SPACE WITHIN 60 OR LESS FEET FROM THE HEATING UNIT AND THAT HAS AN ALARM THAT IS AUDIBLE FROM THE OFFICE.**”.

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“(4) A PERSON LICENSED UNDER ARTICLE 24 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2401 TO 339.2412, WHO IS IN COMPLIANCE WITH THIS SECTION OR RULES PROMULGATED UNDER THE CODE AND INSTALLS, IN ACCORDANCE WITH THE MANUFACTURER’S INSTRUCTIONS, A CARBON MONOXIDE DETECTOR MEETING CURRENT UNDERWRITERS LABORATORIES, INCORPORATED’S STANDARDS FOR THAT DEVICE AT THE TIME OF INSTALLATION SHALL HAVE NO LIABILITY, DIRECTLY OR INDIRECTLY, TO ANY PERSON WITH RESPECT TO THE OPERATION, MAINTENANCE, OR EFFECTIVENESS OF THE CARBON MONOXIDE DETECTOR.”.

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

Rep. Tobocman moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Palsrok moved to amend the bill as follows:

1. Amend page 1, line 9, after “(1).” by inserting “**HOWEVER, THOSE RULES SHALL NOT REQUIRE HARD-WIRED CARBON MONOXIDE DETECTORS IN ALL ROOMS AND SHALL REQUIRE A HARD-WIRED CARBON MONOXIDE DETECTOR IN ANY SPACE WITHIN 60 OR LESS FEET FROM THE HEATING UNIT AND THAT HAS AN ALARM THAT IS AUDIBLE FROM THE OFFICE.**”.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

“(5) A PERSON LICENSED UNDER ARTICLE 24 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2401 TO 339.2412, WHO IS IN COMPLIANCE WITH THIS SECTION OR RULES PROMULGATED UNDER THE CODE AND INSTALLS, IN ACCORDANCE WITH THE MANUFACTURER’S INSTRUCTIONS, A CARBON MONOXIDE DETECTOR MEETING CURRENT UNDERWRITERS LABORATORIES, INCORPORATED’S STANDARDS FOR THAT DEVICE AT THE TIME OF INSTALLATION SHALL HAVE NO LIABILITY, DIRECTLY OR INDIRECTLY, TO ANY PERSON WITH RESPECT TO THE OPERATION, MAINTENANCE, OR EFFECTIVENESS OF THE CARBON MONOXIDE DETECTOR.”.

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.

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. 4730, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

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

**Roll Call No. 58**

**Yeas—73**

Accavitti	Dean	Jones, Robert	Rocca
Angerer	Dillon	Lahti	Sak
Ball	Donigan	Law, David	Schuitmaker
Bauer	Ebli	Law, Kathleen	Scott
Bennett	Emmons	LeBlanc	Shaffer
Bieda	Espinoza	Leland	Simpson
Brandenburg	Farrah	Lemmons	Smith, Alma
Brown	Gaffney	Lindberg	Smith, Virgil
Byrnes	Garfield	Mayer	Spade
Byrum	Gillard	McDowell	Stakoe
Calley	Gonzales	Meadows	Tobocman
Casperson	Griffin	Meisner	Vagnozzi
Clack	Hammel	Melton	Valentine
Clemente	Hammon	Miller	Ward
Condino	Hood	Moore	Warren
Constan	Hopgood	Nofs	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Polidori	Young
Cushingberry			

**Nays—32**

Agema	Hildenbrand	Meltzer	Pearce
Booher	Hoogendyk	Moolenaar	Proos
Caswell	Horn	Moss	Robertson
Caul	Huizenga	Nitz	Sheen
DeRoche	Hune	Opsommer	Sheltrown
Elsenheimer	Jones, Rick	Palmer	Stahl
Green	Knollenberg	Pastor	Steil
Hansen	Marleau	Pavlov	Walker

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. 5341, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

(The bill was read a second time, substitute (H-1) adopted and bill postponed temporarily on November 27, 2007, see House Journal No. 125 of 2007, p. 2295.)

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 2, following line 8, by inserting:

“Enacting section 1. Section 3d of the use tax act, 1937 PA 94, MCL 205.93d, is repealed immediately after it takes effect on December 1, 2007.”.

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 2, following line 8, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4505 of the 94th Legislature is enacted into law.”.

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 2, following line 8, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4406 of the 94th Legislature is enacted into law.”.

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

Rep. Tobocman moved to reconsider the vote by which the House did not adopt the amendment.

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

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

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

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 2, following line 8, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5211 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. Meekhof moved to amend the bill as follows:

1. Amend page 1, line 4, after “NEW” by inserting “AND EXISTING”.

2. Amend page 1, line 8, after “NEW” by inserting “AND EXISTING”.

3. Amend page 2, following line 6, by inserting:

“(4) THE COST OF CARBON MONOXIDE DETECTORS IN NEW OR EXISTING RESIDENTIAL BUILDINGS OR STRUCTURES SHALL BE CREDITED AGAINST A TAXPAYER’S LIABILITY UNDER THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1101 TO 208.1601.” and renumbering the remaining subsection.

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

“(4) THE COST OF CARBON MONOXIDE DETECTORS IN NEW RESIDENTIAL BUILDINGS OR STRUCTURES SHALL BE CREDITED AGAINST A TAXPAYER’S LIABILITY UNDER THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1101 TO 208.1601.” and renumbering the remaining subsection.

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

“(4) A PERSON LICENSED UNDER ARTICLE 24 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2401 TO 339.2412, WHO IS IN COMPLIANCE WITH THIS SECTION OR RULES PROMULGATED UNDER THE CODE AND INSTALLS, IN ACCORDANCE WITH THE MANUFACTURER’S INSTRUCTIONS, A CARBON MONOXIDE DETECTOR MEETING CURRENT UNDERWRITERS LABORATORIES, INCORPORATED’S STANDARDS FOR THAT DEVICE AT THE TIME OF INSTALLATION SHALL HAVE NO LIABILITY, DIRECTLY OR INDIRECTLY, TO ANY PERSON WITH RESPECT TO THE OPERATION, MAINTENANCE, OR EFFECTIVENESS OF THE CARBON MONOXIDE DETECTOR.” and renumbering the remaining subsection.

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

Rep. Tobocman moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, following line 13, by inserting:

**“(6) A PERSON LICENSED UNDER ARTICLE 24 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2401 TO 339.2412, WHO IS IN COMPLIANCE WITH THIS SECTION OR RULES PROMULGATED UNDER THE CODE AND INSTALLS, IN ACCORDANCE WITH THE MANUFACTURER’S INSTRUCTIONS, A CARBON MONOXIDE DETECTOR MEETING CURRENT UNDERWRITERS LABORATORIES, INCORPORATED’S STANDARDS FOR THAT DEVICE AT THE TIME OF INSTALLATION SHALL HAVE NO LIABILITY, DIRECTLY OR INDIRECTLY, TO ANY PERSON WITH RESPECT TO THE OPERATION, MAINTENANCE, OR EFFECTIVENESS OF THE CARBON MONOXIDE DETECTOR.”.**

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

Rep. McDowell 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. 5341, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 4d.

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

#### Roll Call No. 59

#### Yeas—80

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

#### Nays—25

Agema	Horn	Moss	Pearce
Booher	Huizenga	Nitz	Sheen
Caul	Hune	Opsommer	Stakoe
DeRoche	Knollenberg	Palmer	Steil
Garfield	Marleau	Pastor	Walker

Hildenbrand  
Hoogendyk

Moolenaar

Pavlov

Ward

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 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4e.

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.

### Second Reading of Bills

#### House Bill No. 4868, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as added by 2003 PA 316.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Intergovernmental, Urban and Regional Affairs,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Young 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. 4868, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as added by 2003 PA 316.

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

### Roll Call No. 60

### Yeas—95

Accavitti	Dillon	Knollenberg	Pearce
Angerer	Donigan	Lahti	Polidori
Ball	Ebli	Law, David	Proos
Bauer	Elsenheimer	Law, Kathleen	Rocca
Bennett	Emmons	LeBlanc	Sak
Bieda	Espinoza	Leland	Schuitmaker
Booher	Farrah	Lemmons	Scott
Brandenburg	Gaffney	Lindberg	Shaffer
Brown	Gillard	Marleau	Sheltrown
Byrnes	Gonzales	Mayes	Simpson
Byrum	Green	McDowell	Smith, Alma
Calley	Griffin	Meadows	Smith, Virgil
Casperson	Hammel	Meisner	Spade
Caswell	Hammon	Melton	Stakoe
Caul	Hansen	Meltzer	Tobocman
Clack	Hildenbrand	Miller	Vagnozzi

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

### Nays—10

Agema	Hune	Robertson	Stahl
Garfield	Palmer	Sheen	Steil
Hoogendyk	Pastor		

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 1909 PA 279, entitled "The home rule city act," by amending sections 4q and 4r (MCL 117.4q and 117.4r), section 4q as added by 2003 PA 316 and section 4r as added by 2003 PA 317.

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.

### Second Reading of Bills

#### House Bill No. 5319, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 141b (MCL 125.541b), as added by 1992 PA 144.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5319, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 141b (MCL 125.541b), as added by 1992 PA 144.

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

### Roll Call No. 61

### Yeas—95

Accavitti	Dillon	Knollenberg	Pearce
Angerer	Donigan	Lahti	Polidori

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

#### Nays—10

Agema	Hune	Robertson	Stahl
Garfield	Palmer	Sheen	Steil
Hoogendyk	Pastor		

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.

Reps. Accavitti, Clemente, Condino, Constan, Espinoza, Gillard, Gonzales, Hammel, Hopgood, Robert Jones, Kathleen Law, Melton, Sak, Scott, Virgil Smith and Vagnozzi were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, February 19, at 1:30 p.m. The motion prevailed.

Reps. Tobocman, Proos, Accavitti, Ball, Bieda, Dean, Green, Hammel, Hammon, Horn, LeBlanc, Lemmons, Miller, Polidori, Sak, Sheltrown, Vagnozzi, Warren, Brown, Cushingberry, Donigan, Farrah, Gillard, Gonzales, Hopgood, Rick Jones, Robert Jones, Knollenberg, LaJoy, David Law, Kathleen Law, Leland, Marleau, Meadows, Palmer, Alma Smith, Stahl, Valentine, Wojno, Clack, Constan and Hansen offered the following resolution:

#### House Resolution No. 272.

A resolution commemorating the 2008 Legislative Build.

Whereas, People from all walks of life deserve affordable housing in safe and thriving communities. They need decent and affordable places to live in order to become productive citizens. Providing resources to those who lack access to adequate housing is also an integral requirement of our housing policies. Efforts to meet the housing and economic needs of Michigan communities must be promoted, supported and encouraged; and

Whereas, Neighborhood improvements enhance the desirability of our communities and increase pride in those communities. Cleanups and fix-ups foster pride, cultivate dignity and create a sense of community spirit; and

Whereas, Demolitions and deconstructions further reduce blight and increase safety and neighborhood improvement efforts. The development of downtown areas enhances the economic viability of our communities. Vibrant and attractive downtown districts attract both residents and visitors. Healthy downtown districts and livable neighborhoods are the foundation of Michigan's past, present and future; and

Whereas, A broad-based coalition of agencies, associations, and organizations has come together to encourage and participate in such efforts, including: Habitat for Humanity of Michigan and its 78 affiliates; Community Economic Development Association of Michigan (CEDAM) and its nearly 200 member organizations; Community Development Advocates of Detroit (CDAD) and its 60 plus members; Michigan Coalition Against Homelessness and its 500 members; and the Michigan Community Action Agency Association and its 30 member agencies; and

Whereas, All Michigan Legislators are being invited to take part in the Legislative Build by volunteering one day on a project in their district during May through August of 2008; and

Whereas, Tuesday, August 19, 2008, is declared Legislative Build Celebration Day, a day when legislators, advocacy groups and the public can celebrate the completion of Legislative Build projects in their legislative district; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 2008 Legislative Build. This effort will help educate and engage Michigan legislators in the work of hundreds of community-based organizations while showcasing hundreds of local housing and economic development efforts that will make Michigan a safe, healthy and welcoming place to live; and be it further

Resolved, That the this resolution shall be transmitted to the Steering Committee of the 2008 Legislative Build as evidence of our esteem for its leadership and service in local housing and other economic development efforts.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Opsommer, Rick Jones, Garfield, Espinoza, Brown, Bauer, Booher, Accavitti, Ball, Brandenburg, Casperson, Dean, Green, Hammon, Lemmons, Miller, Polidori, Sheltroun, Tobocman, Farrah, Robert Jones, LaJoy, Kathleen Law, Leland, Marleau, Palmer, Alma Smith, Stahl, Valentine and Wojno offered the following resolution:

**House Resolution No. 273.**

A resolution to memorialize the United States Congress to acknowledge that the neurological disorder known as Parkinson's disease can be caused by exposure to Agent Orange and to require that the United States Department of Veterans Affairs offer assistance to U.S. Military members who, while serving their country, have acquired Parkinson's disease through their exposure to Agent Orange.

Whereas, Agent Orange was an herbicide used in Vietnam to kill unwanted plants and to remove leaves from trees which otherwise provided cover for the enemy. After its use, it was realized that Agent Orange contained dioxin, which is related to a number of diseases, cancers, and other disorders. Many U.S. veterans are known to have been exposed to significant amounts of Agent Orange while fulfilling their military obligations; and

Whereas, As required by law, the U.S. Department of Veterans Affairs (VA) recognizes many diseases as being associated with Agent Orange, including chloracne, acute peripheral neuropathy, and numerous cancers such as Hodgkin's disease, multiple myeloma, and prostate cancer. Veterans who served in Vietnam between January 9, 1962 and May 7, 1975 and who acquire one of the recognized diseases are entitled to VA-furnished hospital care, medical services, and possibly nursing home care; and

Whereas, Several studies performed at internationally recognized research institutions, including St. Jude Children's Research Hospital, have linked Parkinson's disease to Agent Orange and other pesticides. Research work at St. Jude Children's Research Hospital linked genetic alterations associated with an increased risk of Parkinson's disease to pesticide exposures; and

Whereas, Parkinson's disease should be added to the VA list of recognized diseases associated with Agent Orange. The Department of Veterans Affairs Regional Office in Winston-Salem, North Carolina has determined in two cases that the Parkinson's disease of veterans could have been caused by their contact with Agent Orange while on active military duty; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to acknowledge that the neurological disorder known as Parkinson's disease can be caused by exposure to Agent Orange and to require that the United States Department of Veterans Affairs offer assistance to U.S. Military members who, while serving their country, have acquired Parkinson's disease through their exposure to Agent Orange; 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, the members of the Michigan congressional delegation, and the Secretary of the U.S. Department of Veterans Affairs.

The resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.



Reps. Cushingberry, Accavitti, Hammel, Hammon, LeBlanc, Lemmons, Miller, Polidori, Tobocman, Vagnozzi, Warren, Donigan, Farrah, Gillard, Gonzales, Robert Jones, Kathleen Law, Leland, Meadows, Alma Smith and Clack offered the following resolution:

**House Resolution No. 274.**

A resolution to memorialize Congress and the President of the United States to expedite the withdrawal of American troops from Iraq and to redirect resources to the protection of the country and our national economy.

Whereas, The ongoing war in Iraq is taking a significant toll on our country. In addition to the immeasurable loss of nearly 4,000 American lives, thousands more grave injuries, and hundreds of thousand Iraqi civilian deaths, this war has cost the country hundreds of billions of dollars in direct spending and far more indirectly; and

Whereas, The war in Iraq, which has lasted longer than America’s involvement in World War II, is still being waged, even as the reasons we went to war have proven invalid and even as the stability we need in this critical region seems more remote than it was before our military involvement. Initial estimates of the war’s total costs and original projections of what would take place politically have proven wildly inaccurate; and

Whereas, A great nation must exercise leadership based on clear thinking and a commitment to a better future. Continuing the misdirection of our resources in the face of the genuine needs confronting the country is harmful. America’s security and safety needs, as well as the economic realities we face, demand that we withdraw our troops from Iraq as quickly as possible; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress and the President of the United States to expedite the withdrawal of American troops from Iraq and to redirect resources to the protection of the country and our national economy; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

**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 Thursday, February 14:

<b>House Bill Nos.</b>	<b>5722</b>	<b>5723</b>	<b>5724</b>	<b>5725</b>	<b>5726</b>	<b>5727</b>	<b>5728</b>	<b>5729</b>	<b>5730</b>	<b>5731</b>	<b>5732</b>	<b>5733</b>		
<b>Senate Bill Nos.</b>	<b>1088</b>	<b>1089</b>	<b>1090</b>	<b>1091</b>	<b>1092</b>	<b>1093</b>	<b>1094</b>	<b>1095</b>	<b>1096</b>	<b>1097</b>	<b>1098</b>	<b>1099</b>	<b>1100</b>	<b>1101</b>
	<b>1102</b>	<b>1103</b>	<b>1104</b>	<b>1105</b>	<b>1106</b>	<b>1107</b>	<b>1108</b>	<b>1109</b>	<b>1110</b>	<b>1111</b>	<b>1112</b>	<b>1113</b>	<b>1114</b>	

The Clerk announced that the following Senate bills had been received on Thursday, February 14:

<b>Senate Bill Nos.</b>	<b>192</b>	<b>865</b>	<b>1038</b>	<b>1053</b>	<b>1054</b>	<b>1058</b>
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**Reports of Standing Committees**

The Committee on Health Policy, by Rep. Angerer, Chair, reported

**House Bill No. 4233, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2882 (MCL 333.2882), as amended by 2002 PA 691.

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. Angerer, Simpson, Byrum, Clack, Corriveau, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Hune, Marleau, Green, Ball, Calley and Robertson

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Thursday, February 14, 2008

Present: Reps. Angerer, Simpson, Byrum, Clack, Corriveau, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Hune, Marleau, Green, Ball, Calley and Robertson

Absent: Rep. Coulouris

Excused: Rep. Coulouris

The Committee on Insurance, by Rep. Virgil Smith, Chair, reported

**House Bill No. 5453, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3104 and 3107 (MCL 500.3104 and 500.3107), section 3104 as amended by 2002 PA 662 and section 3107 as amended by 1991 PA 191.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Virgil Smith, Farrah, Wojno, Hune, Emmons, Hildenbrand, Moore, Rocca and Gaffney

Nays: None

The Committee on Insurance, by Rep. Virgil Smith, Chair, reported

**Senate Bill No. 1061, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapters 46, 47, and 48.

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. Virgil Smith, Farrah, Condino, Polidori, Wojno, Hune, Emmons, Hildenbrand, Moore, Rocca and Gaffney

Nays: Rep. Constan

The Committee on Insurance, by Rep. Virgil Smith, Chair, reported

**Senate Bill No. 1062, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 235 (MCL 208.1235).

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. Virgil Smith, Farrah, Condino, Polidori, Wojno, Hune, Emmons, Hildenbrand, Moore, Rocca and Gaffney

Nays: Rep. Constan

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Virgil Smith, Chair, of the Committee on Insurance, was received and read:  
Meeting held on: Thursday, February 14, 2008

Present: Reps. Virgil Smith, Farrah, Condino, Constan, Lemmons, Polidori, Scott, Simpson, Wojno, Hune, Emmons, Hildenbrand, Moore, Rocca and Gaffney

Absent: Reps. Johnson and David Law  
Excused: Reps. Johnson and David Law

### Messages from the Senate

#### **House Bill No. 4650, entitled**

A bill to revise the standards under which courts of this state recognize foreign money judgments; to establish procedures for the recognition of foreign money judgments; to limit the time within which an action to enforce a foreign money judgment may be commenced; to make uniform the law relating to the enforcement of foreign money judgments; and to repeal acts and parts of acts.

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

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

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

#### **Senate Bill No. 192, entitled**

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending section 3 (MCL 32.273), as amended by 2002 PA 121.

The Senate has passed the bill.

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

#### **Senate Bill No. 865, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5805 and 5839 (MCL 600.5805 and 600.5839), section 5805 as amended by 2002 PA 715 and section 5839 as amended by 1985 PA 188.

The Senate has passed the bill.

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

#### **Senate Bill No. 1038, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111), as amended by 2007 PA 207.

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 Bill No. 1053, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 511 (MCL 208.1511).

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 Bill No. 1054, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 105 (MCL 208.1105), as amended by 2007 PA 145.

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 Bill No. 1058, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 501 (MCL 208.1501).

The Senate has passed the bill.

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

### Communications from State Officers

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

February 7, 2008

Section 6 (5) of Public Act 94 of 1999 requires that the Michigan Merit Award Board report on the Michigan Merit Award Program. The Merit Award Board has been inactive since 2004; therefore, the Office of Scholarships and Grants is reporting this data on behalf of the Board.

Attached are the following items from section 6 (5):

- a) A list of approved postsecondary educational institutions for the current and immediately preceding fiscal years.
  - b) The number of Michigan merit award scholarships awarded and the total amount of Michigan merit award scholarship money paid in the immediately preceding fiscal year.
  - c) A projection of revenues and expenditures from the trust fund for the current fiscal year and the next ten fiscal years.
  - d) The dollar amount of the Michigan merit award scholarships available under sections 7 and 7a in the current fiscal year, the amount of any adjustments to the dollar amount under sections 7(4) and 7a(2) from the beginning of the immediately preceding fiscal year, and any adjustments to the dollar amount projected for the remainder of the current fiscal year or for the next fiscal year.
  - e) All of the following results, scores, or ranges of scores:
    - i.) used as qualifying results in the immediately preceding fiscal year,
    - ii.) determined by the board as qualifying results in the current fiscal year,
    - iii.) projected by the board as qualifying results for the next fiscal year.
  - f) For the immediately preceding fiscal year, the number of pupils who took the assessment tests, the number of pupils by subject area who received qualifying results, the number of graduating high school seniors who met the requirements for a Michigan merit award scholarship, and the total number of pupils who met the requirements for a Michigan merit award scholarship.
  - g) The number of persons participating in and the amount awarded in the immediately preceding fiscal year under the tuition incentive program described in section 310 of 2003 PA 144 or a successor to that program.
- If you need further assistance, please feel free to contact Ms. Anne Wohlfert, Director, Office of Scholarships and Grants at 517-373-0458 or e-mail at [wohlferta@michigan.gov](mailto:wohlferta@michigan.gov).

Sincerely,  
Thomas F. Saxton  
Deputy State Treasurer

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Warren and Bieda introduced

**House Bill No. 5734, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 261 (MCL 208.1261). The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Wenke and Bieda introduced

**House Bill No. 5735, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 109 (MCL 208.1109). The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Mayes and Bieda introduced

**House Bill No. 5736, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 115 (MCL 208.1115). The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Bieda introduced

**House Bill No. 5737, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111), as amended by 2007 PA 207.

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

Reps. Bieda, Moss, Condino, Ebli, Pastor, Wojno, Meisner, Rocca, Kathleen Law, Corriveau, Hansen, Schuitmaker, Meadows and Vagnozzi introduced

**House Bill No. 5738, 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 section 1 (MCL 287.331), as amended by 1997 PA 7, and by adding section 5b.

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

Reps. Pearce, Warren, Green, Spade, Polidori, Lahti, Wenke, Mayes, Emmons, Ward and Casperson introduced

**House Bill No. 5739, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 2004 PA 92.

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

Reps. Elsenheimer, Sheltroun, Casperson, Meadows, Walker, Meekhof, Emmons, Agema, Hildenbrand, Booher, Hansen, Schuitmaker, Stahl and Rick Jones introduced

**House Bill No. 5740, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43528 and 43529 (MCL 324.43528 and 324.43529), as amended by 1996 PA 585.

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

Reps. Sheltroun, Walker, Elsenheimer, Nitz, Hansen, Mayes, Ball, Melton, Gillard, Polidori, Booher, Casperson, LaJoy, Stakoe, David Law, Horn, Hildenbrand, Knollenberg, Huizenga, Simpson, Vagnozzi, Angerer, LeBlanc, Spade, Robert Jones, Griffin, McDowell, Lahti, Lindberg, Rick Jones, Stahl, Ebli, Calley, Acciavatti, Pavlov, Garfield, Cushingberry, Miller, Hammon, Hammel, Sheen, Emmons, Gonzales and Hune introduced

**House Bill No. 5741, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2004 PA 587, and by adding sections 40115 and 40115a.

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

Reps. Caswell, Gaffney, Nofs, Robertson, Steil, Hansen, Booher, Caul, David Law, Schuitmaker, Moss, Shaffer, Emmons, Acciavatti, Palmer, Knollenberg, Agema, Calley, Marleau, Nitz, Condino and Stahl introduced

**House Bill No. 5742, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16285.

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

Reps. Condino, Alma Smith, Caswell and Accavitti introduced

**House Bill No. 5743, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2212c.

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

Rep. Gaffney introduced

**House Bill No. 5744, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11532a.

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

Rep. Hansen introduced

**House Bill No. 5745, entitled**

A bill to provide for the publication of certain information regarding the establishing of alternative fuels facilities in this state; to provide for certain powers and duties for certain state agencies; and to make available to the public certain information.

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

Rep. Accavitti introduced

**House Bill No. 5746, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8e (MCL 125.2688e), as added by 2006 PA 270.

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

Rep. Lahti introduced

**House Bill No. 5747, entitled**

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 2002 PA 150.

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

Reps. Walker, Nitz, Mayes and Wenke introduced

**House Bill No. 5748, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 3 (MCL 290.643), as amended by 2006 PA 271.

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

Rep. Leland introduced

**House Bill No. 5749, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36110, 36112, and 36113 (MCL 324.36110, 324.36112, and 324.36113), section 36110 as amended by 1996 PA 233 and sections 36112 and 36113 as added by 1995 PA 59.

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

Rep. Kathleen Law introduced

**House Bill No. 5750, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," (MCL 290.641 to 290.650d) by adding section 5a.

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

Rep. Miller introduced

**House Bill No. 5751, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r.

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

Rep. Clemente introduced

**House Bill No. 5752, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 79. The bill was read a first time by its title and referred to the Committee on Agriculture.

Rep. Byrnes introduced

**House Bill No. 5753, entitled**

A bill to amend 1990 PA 134, entitled "Motor fuel distribution act," by amending the title and section 2 (MCL 445.1802) and by adding section 5a.

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

Rep. Sak introduced

**House Joint Resolution PP, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 11a to article IX, to impose a recycling fee on certain sales transactions under certain circumstances.

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

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Rep. Pavlov moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 19, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives



