

**No. 111**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Tuesday, October 23, 2007.

1:30 p.m.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—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. Lee Gonzales, from the 49th District, offered the following invocation:

“Heavenly Father, let us give You praise and thanks for the privilege You have bestowed upon us in serving the citizens of our great state. We ask for Your guidance, Your strength and humility, Your generosity and Your wisdom as we deliberate the issues confronting us today.

We acknowledge that we come from different places, hold different values and cherish different beliefs and yet we are gathered here today as colleagues and friends with a unified purpose to serve the citizens of our Michigan.

The following poem by an unknown author is apropos, ‘If I knew you and you knew me, and each of us could clearly see by the inner light divine, the meaning of your life and mine, I am sure that we would differ less and clasp our hands in friendliness. If I knew you and you knew me.’

Colleagues, please join me in saying Amen.”

### Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

#### **House Resolution No. 217.**

A resolution of tribute offered as a memorial for Chester Wozniak, former member of the House of Representatives.

Whereas, It is with admiration for his many years of service in the public arena working on behalf of his community and our state that we mark the passing of Chester Wozniak. A member of this legislative body from 1953 to 1962 and from 1991 to 1992, he devoted much of his life to others; and

Whereas, A proud son of Hamtramck, Chester Wozniak heeded his country’s call to arms when he was a very young man, serving in World War II while still in his teens. This patriotism never left him. Over the course of his life, he demonstrated his belief in our democracy in a wide variety of responsibilities, as a city treasurer of Hamtramck, Wayne County commissioner, and state lawmaker. In each of these capacities, he brought a deep understanding of the local nature of politics and the impact public policies have on every family; and

Whereas, Chester Wozniak, who worked in real estate and as the Director of Development for the city of Hamtramck, served in the Michigan House of Representatives during two significantly different eras. In spite of these differences in economics and conditions in the legislature, Representative Wozniak was resolute in his dedication to his district and our state. As was evident in his service on the Wayne County Board of Commissioners in the 1970s and his more recent participation in elections long past the age at which most retire, Chester Wozniak felt public service was a personal calling. Clearly, that example will long endure; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Chester Wozniak, a member of this legislative body from 1953 to 1962 and from 1991 to 1992; and be it further

Resolved, That copies of this resolution be transmitted to the Wozniak family as evidence of our respect for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 207.**

A resolution to memorialize the United States Congress to enact federal legislation designed to prevent elder abuse. (For text of resolution, see House Journal No. 107, p. 1755.)

(The resolution was reported by the Committee on Senior Health, Security, and Retirement on October 16, consideration of which, under the rules, was postponed until October 17.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

#### **House Concurrent Resolution No. 48.**

A concurrent resolution to urge regular funding for the United States Army Corps of Engineers to dredge recreational harbors on the Great Lakes.

(For text of concurrent resolution, see House Journal No. 85, p. 1431.)

(The concurrent resolution was reported by the Committee on New Economy and Quality of Life on October 18, consideration of which, under the rules, was postponed until today.)

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

### Second Reading of Bills

#### House Bill No. 5036, entitled

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending section 2c (MCL 29.2c), as amended by 2006 PA 189.

(The bill was read a second time, amended, amendment offered and bill postponed temporarily on October 17, see House Journal No. 109, p. 1772.)

Rep. Robertson moved to amend the bill as follows:

1. Amend page 2, line 10, after the first “**THE**” by striking out the balance of the line through “**BOARD**” on line 11 and inserting “**LEGISLATURE, IN THE MANNER PROVIDED FOR IN SUBSECTION (3)**”.

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

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

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

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

The question being on the adoption of the amendment offered previously by Rep. Robertson,  
The amendment fell.

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. 5036, entitled

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending section 2c (MCL 29.2c), as amended by 2006 PA 189.

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

#### Roll Call No. 485

#### Yeas—74

Accavitti	Dean	Jones, Rick	Polidori
Angerer	Dillon	Jones, Robert	Proos
Ball	Donigan	Lahti	Rocca
Bauer	Ebli	LaJoy	Sak
Bennett	Espinoza	Law, David	Scott
Booher	Farrah	Law, Kathleen	Sheltrown
Brown	Gaffney	LeBlanc	Simpson
Byrnes	Gillard	Leland	Smith, Alma
Byrum	Gonzales	Lemmons	Smith, Virgil
Calley	Griffin	Lindberg	Spade
Casperson	Hammel	Mayes	Stahl
Cheeks	Hammon	McDowell	Tobocman
Clack	Hansen	Meadows	Vagnozzi

Clemente	Hood	Meisner	Valentine
Condino	Hopgood	Melton	Ward
Constan	Horn	Miller	Warren
Corriveau	Huizenga	Moore	Wojno
Coulouris	Jackson	Nofs	Young
Cushingberry	Johnson		

### Nays—36

Acciavatti	Emmons	Meltzer	Pearce
Agema	Garfield	Moolenaar	Robertson
Amos	Green	Moss	Schuitmaker
Bieda	Hildenbrand	Nitz	Shaffer
Brandenburg	Hoogendyk	Opsommer	Sheen
Caswell	Hune	Palmer	Stakoe
Caul	Knollenberg	Palsrok	Steil
DeRoche	Marleau	Pastor	Walker
Elsenheimer	Meekhof	Pavlov	Wenke

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.

Rep. Elsenheimer, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I would have considered support had the Robertson amendment been included in the bill. There are other problems with the bill which could be overcome if it was addressed in a bipartisan way. I would also note that a substitute was adopted by the majority and the board opened before said substitute was even available on the House’s computer system.”

### Second Reading of Bills

#### Senate Bill No. 79, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 223 (MCL 257.223).

The bill was read a second time.

Rep. LeBlanc moved to amend the bill as follows:

1. Amend page 1, line 1, after “(1)” by inserting “Upon receipt of a registration certificate, the owner **OF A COMMERCIAL VEHICLE** shall write his or her signature ~~thereon~~ **ON THE REGISTRATION CERTIFICATE** with pen and ink in the space provided.”.

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. 79, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 223 (MCL 257.223).

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

**Roll Call No. 486**

**Yeas—109**

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

**Nays—1**

Sheen

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 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.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Opsommer, Moore, Wenke, LaJoy, Brown, Meekhof, Meltzer, Moss, Agema, Bieda, Byrum, Calley, Caul, Condino, Corriveau, Ebli, Horn, Rick Jones, Leland, Palmer, Rocca, Scott, Stahl, Tobocman, Valentine, Ward and Wojno offered the following concurrent resolution:

#### **House Concurrent Resolution No. 53.**

A concurrent resolution to request the State Officers Compensation Commission to recommend a 10 percent legislative salary reduction and to endorse and follow certain performance-based pay structures.

Whereas, Article IV, Section 12 of the state constitution of 1963 established the State Officers Compensation Commission (SOCC). The SOCC was established to determine the salaries and expense allowances of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, the Secretary of State, and the Justices of the Supreme Court. Section 3 of 1968 PA 357, as amended, provides that the commission shall meet for not more than 15 session days beginning after July 1 of every even-numbered year; and

Whereas, In light of the need to make structural reforms to Michigan’s budget, we believe that, as elected leaders in state government, we have an obligation to restructure our pay rates. We request the State Officers Compensation Commission to recommend a 10 percent reduction in the salaries of the members of the Legislature the next time the commission meets in 2008; and

Whereas, We also request that in the course of all future meetings that the SOCC limit any proposed increases to either the rate of inflation, or the average pay rate increase of other state of Michigan employees, whichever is lower; and

Whereas, We also request the commission to endorse and follow any constitutional changes that would create a performance-based pay structure that provides for a pro-rata pay reduction for any days the legislative body is in session and a legislator does not attend session, except in the case of excused personal illness or the serious illness or death of a family member, with the monies transferred to the general fund; and

Whereas, We also request the commission to endorse and follow any constitutional changes that would create a performance-based pay structure that provides that for any days past Labor Day for which an individual chamber has not passed from that chamber all bills necessary to provide for a balanced budget for the fiscal year that begins that October 1, all legislators of that chamber (or both chambers if neither has passed bills to balance the budget) shall have their salaries reduced on a pro-rata basis. The money not paid in salary for those days shall be transferred to the general fund; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we request the State Officers Compensation Commission to recommend a 10 percent reduction in the salaries of the members of the Legislature the next time the commission meets in 2008 and to endorse and follow the performance-based pay structures as outlined in this resolution and enacted into law; and be it further

Resolved, That copies of this resolution be transmitted to members of the State Officers Compensation Commission and the Director of the Michigan Department of Civil Service.

The concurrent resolution was referred to the Committee on Oversight and Investigations.

### **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, October 18:

**House Bill Nos. 5325 5326 5327 5328 5329 5330 5331 5332 5333 5334**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, October 19:

**Senate Bill Nos. 836 837 838 839 840**

The Clerk announced that the following Senate bill had been received on Tuesday, October 23:  
**Senate Bill No. 730**

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, October 23:  
**Senate Bill No. 841**

### Reports of Standing Committees

The Committee on Labor, by Rep. Miller, Chair, reported

**House Bill No. 4401, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

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. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg, LaJoy, Steil and Rick Jones

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg, Wenke, LaJoy, Steil and Rick Jones

Absent: Rep. Bieda

Excused: Rep. Bieda

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

**House Bill No. 4778, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

With the recommendation that the bill be referred to the Committee on Insurance.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Clemente, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Knollenberg and Meltzer

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Meisner, Robert Jones, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Rick Jones, Knollenberg and Meltzer

Absent: Reps. Accavitti, Byrum and Stakoe

Excused: Reps. Accavitti, Byrum and Stakoe

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

**House Bill No. 5102, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 23 (MCL 432.23), as amended by 2004 PA 272.

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. Farrah, Scott, Virgil Smith, Marleau, Palsrok and Gaffney

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrah, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Farrah, Scott, Meadows, Virgil Smith, Wojno, Marleau, Palsrok and Gaffney

Absent: Rep. Ward

Excused: Rep. Ward

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Bill No. 4600, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 49a.

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Constan, Polidori, Young and Hoogendyk

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Bill No. 4601, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," (MCL 38.1301 to 38.1408) by adding section 91a.

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Constan, Polidori, Young and Hoogendyk

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Bill No. 5005, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 208, 304, 555, 821, and 8202 (MCL 600.208, 600.304, 600.555, 600.821, and 600.8202), sections 304 and 555 as amended by 1996 PA 374, section 821 as amended by 2004 PA 492, and section 8202 as amended by 1996 PA 388.

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. Wojno, Kathleen Law, Constan, Polidori, Young, Hoogendyk, Hune and David Law  
Nays: None

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Bill No. 5006, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 115, 213, and 215 (MCL 18.1115, 18.1213, and 18.1215), section 115 as amended by 1999 PA 8, section 213 as amended by 2006 PA 269, and section 215 as amended by 1988 PA 504.

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. Wojno, Kathleen Law, Constan, Polidori, Young, Hoogendyk, Hune and David Law  
Nays: None

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Bill No. 5169, entitled**

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

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Constan, Polidori, Young and Hoogendyk  
Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Bill No. 5170, entitled**

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

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Constan, Polidori, Young and Hoogendyk  
Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

The Committee on Government Operations, by Rep. Wojno, Chair, reported

**House Resolution No. 109.**

A resolution to urge the United States Secretary of State to increase efforts to urge the People's Republic of China to halt its violation of the human rights of its citizens, specifically the persecution of and forced harvesting of organs from practitioners of Falun Gong.

(For text of resolution, see House Journal No. 47, p. 698.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Constan, Polidori, Young, Hoogendyk and Hune  
Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wojno, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Wojno, Kathleen Law, Constan, Polidori, Young, Hoogendyk, Hune and David Law

Absent: Rep. Condino

Excused: Rep. Condino

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Lindberg, Simpson, Casperson, Horn and Agema

Absent: Reps. Kathleen Law and Stakoe

Excused: Reps. Kathleen Law and Stakoe

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Coulouris, Johnson, Clemente, Mayes, Virgil Smith, Moore, Robertson, Green and Calley

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Condino, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Absent: Reps. Coulouris and Virgil Smith

Excused: Reps. Coulouris and Virgil Smith

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Tuesday, October 23, 2007

Present: Reps. Corriveau, Clemente, Bieda, Donigan, Hammon, Warren, Pearce and Ward

Absent: Rep. Wenke

Excused: Rep. Wenke

**Messages from the Senate****House Bill No. 4749, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312a, 658, and 907 (MCL 257.312a, 257.658, and 257.907), section 658 as amended by 2002 PA 494 and section 907 as amended by 2006 PA 298, and by adding sections 658c and 658d; 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) and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 730, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

The Senate has passed the bill.

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

The Senate requested the return of

**Senate Bill No. 237, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 6a, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1606a, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1676, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 as amended by 2007 PA 6, sections 6, 11a, 11f, 11k, 15, 18, 20, 20j, 22d, 24, 26a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 94a, 98, 99, and 107 as amended and sections 11m, 24a, 24c, 32b, 64, 99e, and 104 as added by 2006 PA 342, section 6a as amended by 1997 PA 93, section 8b as amended by 2003 PA 158, section 19 as amended by 2005 PA 155, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding section 32n; and to repeal acts and parts of acts.

The message was referred to the Clerk for record.

The Senate requested the return of

**Senate Bill No. 511, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The message was referred to the Clerk for record.

### Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing  
Administrative Rules

October 19, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 3:36 P.M. this date, administrative rule (07-10-06) for the Department of Labor and Economic Growth "*Part 620. Ventilation Control for Construction*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Johnson, Melton, Constan, Vagnozzi, Hammon, Gonzales, Sak, Mayes, Clack, Cushingberry, Kathleen Law, Tobocman, Jackson, Angerer, Accavitti, Farrah, Dean and Cheeks introduced

**House Bill No. 5335, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 357c. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Melton, Constan, Vagnozzi, Hammon, Gonzales, Sak, Mayes, Clack, Cushingberry, Kathleen Law, Tobocman, Jackson, Angerer, Accavitti, Farrah, Dean and Cheeks introduced

**House Bill No. 5336, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16r of chapter XVII (MCL 777.16r), as amended by 2002 PA 279.

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

Rep. David Law introduced

**House Bill No. 5337, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509q (MCL 168.509q), as amended by 2005 PA 71, and by adding section 496a.

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

Reps. Caul, Hammon, Sheen, Accavitti, Stakoe, Hildenbrand, Hansen, Nitz, Opsommer, Shaffer, Moolenaar, Nofs, Meekhof and Dean introduced

**House Bill No. 5338, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by adding section 304c.

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

Reps. Meltzer, Amos, Nofs, Miller, Wenke, Robertson, Schuitmaker, Knollenberg, Brandenburg and Stakoe introduced

**House Bill No. 5339, entitled**

A bill to amend 1994 PA 350, entitled "Public employee retirement benefits forfeiture act," by amending sections 3 and 4 (MCL 38.2703 and 38.2704), section 4 as amended by 1996 PA 467.

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

Rep. Young introduced

**House Bill No. 5340, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3110, 3120, 3204, and 3212 (MCL 600.3110, 600.3120, 600.3204, and 600.3212), sections 3204 and 3212 as amended by 2004 PA 186.

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

Reps. McDowell, Miller, Meadows, Young, Gonzales, Lahti, Lindberg, Hood, Cushingberry, Byrnes, Gaffney, Amos and Ball introduced

**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 first time by its title and referred to the Committee on Regulatory Reform.

Reps. Opsommer, Moore, Wenke, LaJoy, Brown, Meekhof, Meltzer and Agema introduced

**House Joint Resolution DD, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV and by adding section 55 to article IV, to provide that the state officers compensation commission's determination of

certain salaries shall not exceed the increase in the consumer price index or the average increase in state employee pay and to reduce compensation of state legislators who have absences from legislative session or when the legislature does not present certain budget bills to the governor on or before a certain date.

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

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Rep. Angerer moved that the House adjourn.  
The motion prevailed, the time being 2:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 24, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

