

No. 32  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
94th Legislature  
REGULAR SESSION OF 2008

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House Chamber, Lansing, Thursday, April 10, 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—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—excused	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—excused	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—excused	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—excused	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—excused
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. Fran Amos, from the 43rd District, offered the following invocation:

“Dear Lord, We thank You for this day and the many blessings You have bestowed upon us. We thank You for our lives, families, friendships and gifts You have given us. We thank You for the friendships and fellowship that each of us have in this chamber. Guide and bless us who have been sent here by the people of Michigan, and who have been ordained by You to govern this great state. Grant us Your wisdom to rule, and may our decisions direct us to the center of Your will. In Jesus’ name we pray, Amen.”

Rep. Palsrok moved that Reps. Garfield and Ward be excused from today’s session.  
The motion prevailed.

Rep. Tobocman moved that Reps. Espinoza, Kathleen Law and Lemmons be excused from today’s session.  
The motion prevailed.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

### Second Reading of Bills

#### House Bill No. 5863, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

The bill was read a second time.

Rep. Sak 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. Sak 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. 5863, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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

#### Roll Call No. 252

#### Yeas—103

Accavitti	Dean	Jones, Robert	Pavlov
Acciavatti	DeRoche	Knollenberg	Pearce
Agema	Dillon	Lahti	Polidori
Amos	Donigan	LaJoy	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Farrah	Lindberg	Schuitmaker
Bieda	Gaffney	Marleau	Scott
Booher	Gillard	Mayer	Shaffer
Brandenburg	Gonzales	McDowell	Sheen
Brown	Green	Meadows	Sheltrown

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

### Nays—2

Smith, Alma

Warren

In The Chair: Byrnes

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.

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The Speaker Pro Tempore resumed the Chair.

### Second Reading of Bills

#### House Bill No. 4839, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and section 252l as added by 2004 PA 493.

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

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

Rep. Farrah 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. 4839, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and section 252l as added by 2004 PA 493.

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

**Roll Call No. 253****Yeas—105**

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

**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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 11, 208c, 252a, 252d, 252e, 252f, 252g, 252k, and 252l (MCL 257.11, 257.208c, 257.252a, 257.252d, 257.252e, 257.252f, 257.252g, 257.252k, and 257.252l), section 11 as amended by 2003 PA 37, section 208c as amended by 2004 PA 362, sections 252a, 252d, 252e, and 252f as amended by 2004 PA 495, and section 252g as amended and sections 252k and 252l as added by 2004 PA 493.

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. 1203, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," (MCL 125.2151 to 125.2174) by adding section 12b.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1203, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," (MCL 125.2151 to 125.2174) by adding section 12b.

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

**Roll Call No. 254**

**Yeas—105**

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

**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 encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing,"

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. 5925, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 111, 525, 537, 603, 607, 906, and 1027 (MCL 436.1111, 436.1525, 436.1537, 436.1603, 436.1607, 436.1906, and 436.2027), section 525 as amended by 2006 PA 539, sections 537 and 607 as amended by 2005 PA 269, section 906 as amended by 2000 PA 431, and section 1027 as amended by 2001 PA 46, and by adding section 534.

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

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

Rep. Byrum 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. 5925, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 111, 525, 537, 603, 607, 906, and 1027 (MCL 436.1111, 436.1525, 436.1537, 436.1603, 436.1607, 436.1906, and 436.2027), section 525 as amended by 2006 PA 539, sections 537 and 607 as amended by 2005 PA 269, section 906 as amended by 2000 PA 431, and section 1027 as amended by 2001 PA 46, and by adding section 534.

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

#### Roll Call No. 255

#### Yeas—105

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

**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 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 111, 525, 537, 603, 607, 906, and 1027 (MCL 436.1111, 436.1525, 436.1537, 436.1603, 436.1607, 436.1906, and 436.2027), section 525 as amended by 2006 PA 539, sections 537 and 607 as amended by 2005 PA 269, section 906 as amended by 2008 PA 11, and section 1027 as amended by 2001 PA 46, and by adding section 534.

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.

Reps. Ball, Brandenburg, Casperson, Cheeks, Corriveau, DeRoche, Elsenheimer, Farrah, Gaffney, Gonzales, Hildenbrand, Hune, Johnson, Rick Jones, David Law, Marleau, Melton, Moss, Nitz, Opsommer, Pastor, Polidori, Sak, Schuitmaker, Tobocman and Wojno were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 5060, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by repealing section 2102 (MCL 600.2102).

The bill was read a second time.

Rep. Condino 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. 5060, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by repealing section 2102 (MCL 600.2102).

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

**Roll Call No. 256****Yeas—104**

Accavitti	Dean	Jones, Robert	Pavlov
Acciavatti	DeRoche	Knollenberg	Pearce
Agema	Dillon	Lahti	Polidori
Amos	Donigan	LaJoy	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Farrah	Lindberg	Schuitmaker
Bieda	Gaffney	Marleau	Scott
Booher	Gillard	Mayes	Shaffer
Brandenburg	Gonzales	McDowell	Sheltrown
Brown	Green	Meadows	Simpson
Byrnes	Griffin	Meekhof	Smith, Alma
Byrum	Hammel	Meisner	Smith, Virgil
Calley	Hammon	Melton	Spade

Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young

### Nays—0

In The Chair: Sak

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

### Second Reading of Bills

#### House Bill No. 5277, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2841 (MCL 333.2841).

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

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

Rep. LeBlanc moved to amend the bill as follows:

1. Amend page 1, line 8, after “**KNOWS**” by inserting “**OR HAS REASON TO KNOW**”.
2. Amend page 2, following line 4, by inserting:

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

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

Rep. LeBlanc 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. 5277, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2841 (MCL 333.2841).

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

### Roll Call No. 257

### Yeas—105

Accavitti	DeRoche	Knollenberg	Pearce
Acciavatti	Dillon	Lahti	Polidori
Agema	Donigan	LaJoy	Proos
Amos	Ebli	Law, David	Robertson



Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Emmons	Leland	Sak
Bauer	Farrar	Lindberg	Schuitmaker
Bennett	Gaffney	Marleau	Scott
Bieda	Gillard	Mayes	Shaffer
Booher	Gonzales	McDowell	Sheen
Brandenburg	Green	Meadows	Sheltrown
Brown	Griffin	Meekhof	Simpson
Byrnes	Hammel	Meisner	Smith, Alma
Byrum	Hammon	Melton	Smith, Virgil
Calley	Hansen	Meltzer	Spade
Casperson	Hildenbrand	Miller	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Vagnozzi
Clemente	Huizenga	Nofs	Valentine
Condino	Hune	Opsommer	Walker
Constan	Jackson	Palmer	Warren
Corriveau	Johnson	Palsrok	Wenke
Coulouris	Jones, Rick	Pastor	Wojno
Cushingberry	Jones, Robert	Pavlov	Young
Dean			

### Nays—0

In The Chair: Sak

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

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

#### **Senate Bill No. 1187, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 5 (MCL 207.803 and 207.805), section 3 as amended by 2007 PA 62 and section 5 as amended by 2003 PA 248.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Pastor  
Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

#### **Senate Bill No. 1188, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 431b.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Pastor  
Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**Senate Bill No. 1189, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 6 and 8 (MCL 207.806 and 207.808), section 6 as amended by 2007 PA 150 and section 8 as amended by 2007 PA 62.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Pastor  
Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

**Senate Bill No. 1190, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 431 (MCL 208.1431).

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Pastor  
Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, April 10, 2008

Present: Reps. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand and Pastor

Absent: Rep. Garfield

Excused: Rep. Garfield

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

**House Bill No. 4412, 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 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. Virgil Smith, Farrah, Condino, Constan, Johnson, Polidori, Scott, Simpson, Wojno and Gaffney  
Nays: Reps. Hune, Hildenbrand and David Law

### Second Reading of Bills

#### Senate Bill No. 1187, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 5 (MCL 207.803 and 207.805), section 3 as amended by 2007 PA 62 and section 5 as amended by 2003 PA 248.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1187, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3 and 5 (MCL 207.803 and 207.805), section 3 as amended by 2007 PA 62 and section 5 as amended by 2003 PA 248.

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

#### Roll Call No. 258

#### Yeas—101

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

#### Nays—3

Agema

Palmer

Pearce

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 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending sections 3 and 5 (MCL 207.803 and 207.805), section 3 as amended by 2008 PA 87 and section 5 as amended by 2003 PA 248.

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. 1188, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431b.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1188, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431b.

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

#### Roll Call No. 259

#### Yeas—102

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

Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young
Dean	Jones, Robert		

### Nays—3

Agema	Palmer	Pearce
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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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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. 1189, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending sections 6 and 8 (MCL 207.806 and 207.808), section 6 as amended by 2007 PA 150 and section 8 as amended by 2007 PA 62.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1189, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending sections 6 and 8 (MCL 207.806 and 207.808), section 6 as amended by 2007 PA 150 and section 8 as amended by 2007 PA 62.

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

### Roll Call No. 260

### Yeas—98

Accavitti	DeRoche	Jones, Robert	Proos
Acciavatti	Dillon	Lahti	Robertson
Amos	Donigan	LaJoy	Rocca
Angerer	Ebli	Law, David	Sak
Ball	Elsenheimer	LeBlanc	Schuitmaker
Bauer	Emmons	Leland	Scott

Bennett	Farrah	Lindberg	Shaffer
Bieda	Gaffney	Marleau	Sheen
Booher	Gillard	Mayes	Sheltrown
Brandenburg	Gonzales	McDowell	Simpson
Brown	Green	Meadows	Smith, Alma
Byrnes	Griffin	Meekhof	Smith, Virgil
Byrum	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Miller	Stakoe
Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Nitz	Vagnozzi
Clemente	Hopgood	Nofs	Valentine
Condino	Horn	Opsommer	Walker
Constan	Huizenga	Palsrok	Warren
Corriveau	Hune	Pastor	Wenke
Coulouris	Jackson	Pavlov	Wojno
Cushingberry	Johnson	Polidori	Young
Dean	Jones, Rick		

#### Nays—7

Agema	Knollenberg	Moss	Pearce
Calley	Meltzer	Palmer	

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 promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,”

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. 1190, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 431 (MCL 208.1431).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

##### Senate Bill No. 1190, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 431 (MCL 208.1431).

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

**Roll Call No. 261****Yeas—102**

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

**Nays—3**

Agema	Palmer	Pearce
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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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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**

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **Senate Bill No. 1118**.

(For first notice see House Journal No. 31, p. 689.)

The question being on the motion made by Rep. Tobocman,

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

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 1118, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 410 (MCL 208.1410).  
The bill was read a second time.

Rep. Melton 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. 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. 1118, 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. 262

#### Yeas—92

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

#### Nays—13

Accavitti	Condino	Jackson	Sheltrown
Bennett	Gillard	Miller	Spade
Bieda	Hammon	Scott	Vagnozzi
Caswell			

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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. 1192, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Hood moved that Rep. Cheeks 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. 1192, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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

#### Roll Call No. 263

#### Yeas—102

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	Pearce
Agema	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	LeBlanc	Robertson
Ball	Emmons	Leland	Rocca
Bauer	Farrah	Lindberg	Sak
Bennett	Gaffney	Marleau	Schuitmaker
Bieda	Gillard	Mayes	Scott
Booher	Gonzales	McDowell	Shaffer
Brandenburg	Green	Meadows	Sheen
Brown	Griffin	Meekhof	Sheltrown
Byrnes	Hammel	Meisner	Simpson
Byrum	Hammon	Melton	Smith, Virgil
Calley	Hansen	Meltzer	Spade
Casperson	Hildenbrand	Miller	Stahl

Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Clack	Hopgood	Moss	Tobocman
Clemente	Horn	Nitz	Vagnozzi
Condino	Huizenga	Nofs	Valentine
Constan	Hune	Opsommer	Walker
Corriveau	Jackson	Palmer	Wenke
Coulouris	Johnson	Palsrok	Wojno
Cushingberry	Jones, Rick	Pastor	Young
Dean	Jones, Robert		

### Nays—2

Smith, Alma

Warren

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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

Rep. Meltzer moved that the Committee on Education be discharged from further consideration of **House Bill No. 5083**.

(For first notice see House Journal No. 31, p. 689.)

The question being on the motion made by Rep. Meltzer,

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

The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

Pending the Second Reading of

#### **House Bill No. 5083, entitled**

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

Rep. Tobocman moved that the bill be referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, April 15, at 1:30 p.m.

The motion prevailed.

Reps. Wenke, Kathleen Law, LaJoy, Huizenga, Casperson, Elsenheimer, Steil, Caswell, Ward, Brandenburg, Clack, Condino, Dean, Gonzales, Green, Hammel, Hammon, Hansen, Robert Jones, LeBlanc, Leland, Miller, Nitz, Palmer, Pastor, Polidori, Sheltrown, Spade and Stahl offered the following resolution:

**House Resolution No. 323.**

A resolution to memorialize the Congress of the United States to balance the budget.

Whereas, Unlike the state of Michigan which has a constitution that requires a balanced budget, the federal government is, in general, free to spend monies it does not have. The lack of a federal balanced budget requirement provides an open invitation for deficit financing. This has led to ever increasing budgets, higher and higher debt loads, and inordinate pressures on interest rates that ultimately harm the housing market and other important areas of our economy; and

Whereas, Clearly, our government faces the potential of having to address serious problems that may call for certain degrees of flexibility involving the federal budget. Nonetheless, debt constraints stand as a symbol of our nation's fiscal integrity. They demonstrate thoughtful, responsible economic policy, and act as a bulwark against needless spending. Just as Michigan and the majority of the states in our nation manage their governmental affairs without resorting to deficit spending, so too should our federal counterparts; and

Whereas, A balanced budget is essential to fiscal stability and prosperity. The continued growth of our economy is highly dependent on business leaders and consumers who have faith in the strength of our economy and who have access to credit at affordable interest rates. A balanced budget offers more than a foundation for sound fiscal policy. It would help further the entrepreneurial environment that has empowered our nation to become the economic leader of the world; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to balance the budget; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Gonzales, Brandenburg, Clack, Condino, Constan, Dean, Hammel, Hammon, Hansen, Hopgood, Johnson, Robert Jones, LaJoy, LeBlanc, Leland, Melton, Miller, Nitz, Palmer, Pastor, Polidori, Sak, Shaffer, Sheltrown, Alma Smith, Spade, Tobocman, Vagnozzi and Valentine offered the following resolution:

**House Resolution No. 324.**

A resolution to recognize and honor the Michigan inductees into the Naismith Memorial Basketball Hall of Fame Class of 2008.

Whereas, Three of the seven inductees in the Class of 2008, Bill Davidson, Dick Vitale and Adrian Dantley, have a strong resume for honor, strong ties to the Detroit Pistons and have made lasting contributions in Michigan basketball; and

Whereas, Bill Davidson has been the owner of the Detroit Pistons for three-plus decades in addition to owning the Women's National Basketball Association's Detroit Shock. He is also known for his work on the NBA's board of governors and his groundbreaking contributions, including his private funding of The Palace of Auburn Hills; and

Whereas, Dick Vitale coached the Detroit Pistons in 1978-79 and for the first 12 games of the following season. He is best known for his work as an ESPN commentator; and

Whereas, Adrian Dantley spent 2 1/2 seasons as a player with the Detroit Pistons in the 1980s before being traded to Dallas during the 1988-89 championship season; and

Whereas, To be elected to the Hall of Fame, a finalist needs 18 of 24 votes from the Honors Committee; and

Whereas, The seven honorees will be inducted into the Hall of Fame on September 5, 2008 in Springfield, Massachusetts; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor the Michigan inductees into the Naismith Memorial Basketball Hall of Fame Class of 2008, and we encourage all citizens to recognize and applaud the many contributions made by these individuals to enhance the quality of life in this state.

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.

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

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, April 10:

**House Bill Nos. 5961 5962 5963 5964 5965 5966 5967**

**House Joint Resolution TT**

**Reports of Standing Committees**

The Committee on Agriculture, by Rep. Mayes, Chair, reported

**House Bill No. 5677, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36101 (MCL 324.36101), as amended by 2000 PA 262.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

**House Bill No. 5678, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

**House Bill No. 5679, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 1107 (MCL 289.1107).

With the recommendation that the substitute (H-3) 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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

**House Bill No. 5680, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2006 PA 646.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Agriculture, was received and read:  
Meeting held on: Wednesday, April 9, 2008

Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

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

**House Bill No. 4993, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2106, 2108, 2109, 2110, 2114, and 2127 (MCL 500.2106, 500.2108, 500.2109, 500.2110, 500.2114, and 500.2127) and by adding section 2109a.

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. Virgil Smith, Farrah, Condino, Constan, Johnson, Polidori, Scott, Simpson and Wojno

Nays: Reps. Hune, Hildenbrand and David Law

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

**House Bill No. 5420, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2109, 2115, 2403, and 2603 (MCL 500.2109, 500.2115, 500.2403, and 500.2603), section 2115 as amended by 1980 PA 461 and section 2403 as amended by 1993 PA 200.

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, Constan, Johnson, Polidori, Scott, Simpson and Wojno

Nays: Reps. Hune, Hildenbrand and David Law

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

**House Bill No. 5558, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2114 (MCL 500.2114).

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, Constan, Johnson, Polidori, Scott, Simpson and Wojno

Nays: Reps. Hune, Hildenbrand and David Law

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

**House Bill No. 5559, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2418 and 2618 (MCL 500.2418 and 500.2618), section 2418 as amended by 1993 PA 200.

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, Constan, Johnson, Polidori, Scott, Simpson and Wojno

Nays: Reps. Hune, Hildenbrand and David Law

## 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, April 10, 2008

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

Absent: Reps. Lemmons and Emmons

Excused: Reps. Lemmons and Emmons

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 10, 2008

Present: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce and Stahl

Absent: Reps. Miller and Knollenberg

Excused: Reps. Miller and Knollenberg

## Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5344**, Reps. Cushingberry, Gillard and Acciavatti.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5531**, Reps. Cushingberry, Gillard and Acciavatti.

## Explanation of "No" Votes

Rep. Cushingberry, having reserved the right to explain his nay vote pertaining to **House Bill No. 5137**, made the following statement:

"Mr. Speaker and members of the House:

I voted no on this motion because the potential cost is astronomical. The fiscal agency has responded to my request with an estimate developed by Director KEN D. THEIS OF THE DEPARTMENT OF INFORMATION TECHNOLOGY (See attached letter). FOR THIS COST WE COULD PROVIDE A SIGNIFICANT NUMBER OF GRANTS AND SCHOLARSHIPS FOR MICHIGAN STUDENTS.

April 7, 2008

Mitch Bean, Director  
House Fiscal Agency  
Anderson House Office Building  
124 N. Capitol Avenue  
Lansing, MI 48933

Dear Mr. Bean:

As requested, we are providing you with general estimates for a web-based accountability portal that would replicate the Missouri portal, a site for people to review detailed state expenditure data.

The technology Michigan currently uses to track and compile financial and procurement data was developed in the 1980s. To upgrade that technology to offer the functions that the Missouri portal provides would require an extensive update of these systems. Though the state has not completed a specific analysis of the costs involved in this kind of upgrade project, the experiences of Ohio and Pennsylvania are instructive. When these two states embarked on similar projects to update similar data systems, their information technology invested between \$100 and \$150 million over two to three years.

While Michigan does not currently offer a web-based system that exactly matches the Missouri portal, we are pleased to note that a wide spectrum of expenditure data is already available at Michigan.gov. This includes state contract lists, budget reports, Comprehensive Annual Financial Reports and a variety of program data. Michigan has also received significant national recognition for its efforts targeting fiscal accountability and transparency, including a Certificate of Achievement for Excellence in Financial Reporting from the Government Financial Officers Association and an 'A' for information access and performance management efforts from the triennial Government Performance Project (Michigan was one of only five states—including Missouri—to receive an 'A').

Since taking office, Governor Granholm has made government transparency and fiscal accountability defining principles of Michigan state government. Both the Departments of Information Technology and Management and Budget are continually exploring new opportunities and ideas for expanding citizen access.

We appreciate the opportunity to address this question and to emphasize our continuing commitment to citizen access and fiscal accountability.

Sincerely,  
Kenneth D. Theis  
Director"

Rep. Cushingberry, having reserved the right to explain his nay vote pertaining to **House Bill No. 5084**, made the following statement:

"Mr. Speaker and members of the House:

I voted no for the same reasons as elucidated in my no vote explanation hb5137."

#### Announcements by the Clerk

April 8, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:  
Financial audit of the Michigan Education Trust (MET) Plans B and C, a discretely presented component unit of the State of Michigan, for the period October 1, 2005 through September 30, 2007.

April 8, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:  
Financial audit of the Michigan Education Trust (MET) Plan D, a discretely presented component unit of the State of Michigan, for the period October 1, 2005 through September 30, 2007.

Richard J. Brown  
Clerk of the House

#### Introduction of Bills

Reps. Lahti, Spade, Meadows, Lindberg, Gillard, Bennett, Valentine, Clemente, Byrum, Corriveau, Cushingberry, McDowell, Sheltroun, Coulouris, Angerer and Ebli introduced

##### **House Bill No. 5968, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Reps. Mayes and Sheltroun introduced

##### **House Bill No. 5969, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting



devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 5b, 8, and 9 (MCL 28.422, 28.425b, 28.428, and 28.429), section 2 as amended by 2004 PA 101, section 5b as amended by 2006 PA 350, section 8 as amended by 2000 PA 381, and section 9 as amended by 2004 PA 100.

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

Reps. Bieda, Condino, Corriveau, Vagnozzi and Donigan introduced

**House Bill No. 5970, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 101A.

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

Reps. Opsommer, Knollenberg, Meadows, Rocca, Rick Jones, Stahl, Emmons and Amos introduced

**House Bill No. 5971, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 510, 520, and 522 (MCL 206.510, 206.520, and 206.522), sections 510 and 520 as amended by 1995 PA 245 and section 522 as amended by 2000 PA 41.

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

Rep. Coulouris introduced

**House Bill No. 5972, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432.

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

Rep. Mayes introduced

**House Bill No. 5973, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432a.

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

Rep. Brown introduced

**House Bill No. 5974, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432b.

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

Rep. Ball introduced

**House Bill No. 5975, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432c.

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

Rep. Horn introduced

**House Bill No. 5976, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 432d.

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



Rep. Moore introduced

**House Bill No. 5977, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 6 (MCL 207.806), as amended by 2007 PA 150.

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

Reps. Bieda and Condino introduced

**House Bill No. 5978, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 110.

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

Reps. Simpson and Bieda introduced

**House Bill No. 5979, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 409 (MCL 208.1409), as amended by 2007 PA 145.

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

Reps. Horn, Shaffer, Green, Stahl, Moss, Meltzer, Steil, Pavlov, LaJoy, David Law, Brandenburg, Pastor, Rick Jones, Hune, Sheen, Booher, Caul, Moore, Nofs, Walker, Stakoe, Opsommer, Ball, Amos, Emmons, Pearce, Rocca, Nitz, Knollenberg, Agema, Calley, Elsenheimer, Schuitmaker, Meekhof, Casperson, Robertson, Wenke, Huizenga, Palsrok, Proos and Acciavatti introduced

**House Bill No. 5980, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57f and 57r (MCL 400.57f and 400.57r), section 57f as amended by 2006 PA 468 and section 57r as amended by 2007 PA 9, and by adding sections 57v, 57w, 57x, and 57y.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Miller, Constan, Polidori, Kathleen Law, Condino and Vagnozzi introduced

**House Bill No. 5981, entitled**

A bill to amend 1929 PA 48, entitled "An act levying a specific tax to be known as the severance tax upon all producers engaged in the business of severing oil and gas from the soil; prescribing the method of collecting the tax; requiring all producers of such products or purchasers thereof to make reports; to provide penalties; to provide exemptions and refunds; to prescribe the disposition of the funds so collected; and to exempt those paying such specific tax from certain other taxes," by amending section 3 (MCL 205.303), as amended by 1996 PA 135.

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

Reps. Hammon, Agema, Johnson, Constan, Hammel, Clack, Alma Smith, Vagnozzi, Meadows, LeBlanc, Bennett, Simpson, Young, Warren and Gonzales introduced

**House Bill No. 5982, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552 (MCL 750.552), as amended by 2007 PA 167.

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

Reps. Ebli, Condino, Valentine, Lahti and Brown introduced

**House Bill No. 5983, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

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

Reps. Ebli, Rick Jones, Valentine, Leland, Condino, Young, Sheltroun, Vagnozzi, Angerer, Hopgood and Bieda introduced

**House Bill No. 5984, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

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

Reps. Byrnes, Accavitti, Tobocman, Coulouris, Robert Jones, Meadows and Vagnozzi introduced

**House Joint Resolution UU, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to provide for a supplemental sales tax for arts and culture programming.

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

Reps. Meltzer, Pastor, Nitz, Acciavatti, Horn, Hoogendyk, Agema, Sheen, Brandenburg, Rocca, Pavlov, Knollenberg, Wojno and Miller introduced

**House Joint Resolution VV, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 24 of article IX, to provide for forfeiture of pensions for certain public employees under certain circumstances.

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

Reps. Donigan, Vagnozzi, Kathleen Law, Young, Robert Jones, Condino, Cushingberry and Clack introduced

**House Joint Resolution WW, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 51 of article IV, to require the legislature to pass laws establishing affordable and comprehensive health care coverage for all Michigan residents.

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

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Rep. Marleau moved that the House adjourn.  
The motion prevailed, the time being 3:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, April 15, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives