

**No. 95**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Monday, September 24, 2007.

3:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Coleman A. Young, from the 4th District, offered the following invocation:

“Father God, we come before You today and first of all we just say thank You for allowing us to have the honor to be State Representatives. Thank You, Father God, for trusting each and everyone of us to do Your bidding at the state, Father God, to come here and to drastically change the fate of this economy, to change the fate of employment, to make Michigan the dominate boom, the economic boom town that we know You want. Father God, we say let us be vessels of Your light and truth. Father God, You said that faith is the substance of things hoped for, the evidence of things not seen and even though we can’t see what the budget will look like, even though we can’t see what the future struggles will be, when the last bow is cast, when the last rock is thrown , when the last battle cry is given out, Father God, and when war is over, let us stand triumphant in victory because we believe in You and we believe in Your awesome almighty power, Father God. We give You all the glory and praise, we celebrate and have jubilee celebration right now because we know You’re going to open up the windows of Heaven and pour out blessings of abundance when we balance the budget and when we do what needs to be done in order to make Michigan a better place. In Your blessings we say, Amen.”

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

### Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 189.**

A resolution of tribute offered as a memorial for James F. Smith, former member of the House of Representatives.

Whereas, It is with great respect for his lifetime of service to his community, our state, and our country that we honor the memory of James F. Smith, whose ten years in the Michigan House of Representatives mirrored a sense of commitment to others that will long be remembered. To his entire family, we offer our sincerest condolences; and

Whereas, James Smith, a native of Davison, answered his country’s call to arms at a critical point in history and served three years in the United States Army. A member of the 100th Infantry Division, he spent 18 months in Europe during World War II. This strong sense of responsibility was to mark his entire life, as he went on to serve as a member of the Davison City Council, as the Davison mayor, and as a member of the Genesee County Board of Supervisors; and

Whereas, In 1967, James Smith brought his talents and energies to Lansing for the first of his five consecutive terms as a State Representative. His tenure as a lawmaker was marked by a strong understanding of local government and business issues, as well as an abiding dedication to his constituents. His spirit, outgoing personality, and ability to articulate concerns made him an effective and respected legislator. Even after leaving the Capitol, he went on to serve as the Grand Blanc Township Treasurer; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of James F. Smith, a member of this legislative body from 1967 to 1976; and be it further

Resolved, That copies of this resolution be transmitted to the Smith family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,  
The resolution was adopted by unanimous standing vote.

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

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5249.**

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 5249, entitled

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

The bill was read a second time.

Rep. Gillard 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. 5249, entitled

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

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

#### Roll Call No. 390

#### Yeas—109

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

#### Nays—0

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  
**Motions and Resolutions**

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5096**.

(For first notice see House Journal No. 94, p. 1528.)  
 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

#### House Bill No. 5096, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 9a (MCL 205.99a), as amended by 2004 PA 172.

The bill was read a second time.

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

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Rep. Schuitmaker moved that Rep. DeRoche be excused temporarily from today's session.  
 The motion prevailed.

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

#### House Bill No. 5096, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 9a (MCL 205.99a), as amended by 2004 PA 172.

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

#### Roll Call No. 391

#### Yeas—56

Accavitti	Coulouris	Jackson	Miller
Angerer	Cushingberry	Johnson	Polidori
Bauer	Dean	Jones, Robert	Sak
Bennett	Dillon	Lahti	Scott
Bieda	Donigan	Law, Kathleen	Sheltrown
Brown	Ebli	LeBlanc	Simpson
Byrnes	Espinoza	Leland	Smith, Alma
Byrum	Farrah	Lemmons	Smith, Virgil

Cheeks	Gillard	Lindberg	Spade
Clack	Gonzales	Mayes	Tobocman
Clemente	Griffin	McDowell	Vagnozzi
Condino	Hammon	Meadows	Valentine
Constan	Hood	Meisner	Warren
Corriveau	Hopgood	Melton	Wojno

### Nays—52

Acciavatti	Green	Meekhof	Proos
Amos	Hammel	Meltzer	Robertson
Ball	Hansen	Moolenaar	Rocca
Booher	Hildenbrand	Moore	Schuitmaker
Brandenburg	Hoogendyk	Moss	Shaffer
Calley	Horn	Nitz	Sheen
Casperson	Huizenga	Nofs	Stahl
Caswell	Hune	Opsommer	Stakoe
Caul	Jones, Rick	Palmer	Steil
Elsenheimer	Knollenberg	Palsrok	Walker
Emmons	LaJoy	Pastor	Ward
Gaffney	Law, David	Pavlov	Wenke
Garfield	Marleau	Pearce	Young

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

### Motions and Resolutions

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5097**.

(For first notice see House Journal No. 94, p. 1528.)

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

#### House Bill No. 5097, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4i (MCL 205.54i), as amended by 2004 PA 173.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5097, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4i (MCL 205.54i), as amended by 2004 PA 173.

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

**Roll Call No. 392**

**Yeas—57**

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammon	Meadows	Valentine
Condino	Hood	Meisner	Warren
Constan	Hopgood	Melton	Wojno
Corriveau	Jackson	Miller	Young
Coulouris			

**Nays—52**

Acciavatti	Garfield	Marleau	Pearce
Amos	Green	Meekhof	Proos
Ball	Hammel	Meltzer	Robertson
Booher	Hansen	Moolenaar	Rocca
Brandenburg	Hildenbrand	Moore	Schuitmaker
Calley	Hoogendyk	Moss	Shaffer
Casperson	Horn	Nitz	Sheen
Caswell	Huizenga	Nofs	Stahl
Caul	Hune	Opsommer	Stakoe
DeRoche	Jones, Rick	Palmer	Steil
Elsenheimer	Knollenberg	Palsrok	Walker
Emmons	LaJoy	Pastor	Ward
Gaffney	Law, David	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.

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 **House Bill No. 4882**.

(For first notice see House Journal No. 94, p. 1528.)

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

#### House Bill No. 4882, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 3, and 7 (MCL 205.92, 205.93, and 205.97), sections 2 and 3 as amended by 2004 PA 172.

The bill was read a second time.

Rep. Bieda 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. Bieda moved to amend the bill as follows:

1. Amend page 10, line 19, after "(iv)" by striking out "NEW".
2. Amend page 19, line 11, after "is" by inserting "curative and".
3. Amend page 19, line 17, after "No. 265976" by inserting a comma and "as affirmed by the Michigan Supreme Court".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4882, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 3, and 7 (MCL 205.92, 205.93, and 205.97), sections 2 and 3 as amended by 2004 PA 172.

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

#### Roll Call No. 393

#### Yeas—57

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammon	Meadows	Valentine
Condino	Hood	Meisner	Warren
Constan	Hopgood	Melton	Wojno
Corriveau	Jackson	Miller	Young
Coulouris			

#### Nays—52

Acciavatti	Garfield	Marleau	Pearce
Amos	Green	Meekhof	Proos

Ball	Hammel	Meltzer	Robertson
Booher	Hansen	Moolenaar	Rocca
Brandenburg	Hildenbrand	Moore	Schuitmaker
Calley	Hoogendyk	Moss	Shaffer
Casperson	Horn	Nitz	Sheen
Caswell	Huizenga	Nofs	Stahl
Caul	Hune	Opsommer	Stakoe
DeRoche	Jones, Rick	Palmer	Steil
Elsenheimer	Knollenberg	Palsrok	Walker
Emmons	LaJoy	Pastor	Ward
Gaffney	Law, David	Pavlov	Wenke

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 1937 PA 94, entitled "Use tax act," by amending sections 2, 3, 4, and 7 (MCL 205.92, 205.93, 205.94, and 205.97), sections 2, 3, and 4 as amended by 2004 PA 172.

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.

#### **Senate Bill No. 229, entitled**

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

(The bill was read a third time, substitute (H-7) offered and postponed temporarily and bill postponed temporarily on September 15, see House Journal No. 87, p. 1451.)

The question being on the passage of the bill,

Rep. Acciavatti moved to substitute (H-7) the bill.

The question being on the adoption of the substitute (H-7) offered previously by Rep. Acciavatti,

Rep. Schuitmaker demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-7) offered previously by Rep. Acciavatti,

The substitute (H-7) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### **Roll Call No. 394**

#### **Yeas—60**

Acciavatti	Elsenheimer	Law, David	Proos
Amos	Emmons	Marleau	Robertson
Ball	Gaffney	Meekhof	Rocca
Booher	Garfield	Meltzer	Schuitmaker
Brandenburg	Green	Moolenaar	Shaffer
Brown	Griffin	Moore	Sheen
Byrum	Hansen	Moss	Simpson
Calley	Hildenbrand	Nitz	Spade
Casperson	Hoogendyk	Nofs	Stahl
Caswell	Horn	Opsommer	Stakoe



Caul	Huizenga	Palmer	Steil
Clemente	Hune	Palsrok	Valentine
Corriveau	Jones, Rick	Pastor	Walker
DeRoche	Knollenberg	Pavlov	Ward
Ebli	LaJoy	Pearce	Wenke

**Nays—49**

Accavitti	Dillon	Jones, Robert	Miller
Angerer	Donigan	Lahti	Polidori
Bauer	Espinoza	Law, Kathleen	Sak
Bennett	Farrah	LeBlanc	Scott
Bieda	Gillard	Leland	Sheltrown
Byrnes	Gonzales	Lemmons	Smith, Alma
Cheeks	Hammel	Lindberg	Smith, Virgil
Clack	Hammon	Mayes	Tobocman
Condino	Hood	McDowell	Vagnozzi
Constan	Hopgood	Meadows	Warren
Coulouris	Jackson	Meisner	Wojno
Cushingberry	Johnson	Melton	Young
Dean			

In The Chair: Sak

The question being on the passage of the bill,

Rep. Brown moved to amend the bill as follows:

1. Amend page 31, following line 22, by inserting:  
"County revenue sharing payments (Tuscola County) ..... \$ 113,600".
2. Amend page 33, following line 17, by inserting:  
"County revenue sharing payments (Tuscola County) ..... \$ 113,600"

and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Tobocman moved to substitute (H-9) the bill.

The motion was seconded and the substitute (H-9) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 395**

**Yeas—58**

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi

Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

### Nays—51

Acciavatti	Garfield	Meekhof	Proos
Amos	Green	Meltzer	Robertson
Ball	Hansen	Moolenaar	Rocca
Booher	Hildenbrand	Moore	Schuitmaker
Brandenburg	Hoogendyk	Moss	Shaffer
Calley	Horn	Nitz	Sheen
Casperson	Huizenga	Nofs	Stahl
Caswell	Hune	Opsommer	Stakoe
Caul	Jones, Rick	Palmer	Steil
DeRoche	Knollenberg	Palsrok	Walker
Elsenheimer	LaJoy	Pastor	Ward
Emmons	Law, David	Pavlov	Wenke
Gaffney	Marleau	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 make, supplement, and adjust appropriations for the departments of attorney general, civil rights, information technology, management and budget including civil service, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2008; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The 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.

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Rep. Stahl, 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:

Prior legislation was substituted with no explanation given of that which was being substituted. I could not vote yes for something I did not have knowledge of what was being voting on.”

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5252**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

**Second Reading of Bills**

**House Bill No. 5252, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 7 and 7b (MCL 205.427 and 205.427b), section 7 as amended by 2004 PA 164 and section 7b as added by 2002 PA 607.

The bill was read a second time.

Rep. Meisner 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. Hildenbrand moved that Rep. Acciavatti be excused temporarily from today’s session.  
The motion prevailed.

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

**House Bill No. 5252, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 7 and 7b (MCL 205.427 and 205.427b), section 7 as amended by 2004 PA 164 and section 7b as added by 2002 PA 607.

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

**Roll Call No. 396**

**Yeas—58**

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayer	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

**Nays—50**

Amos	Green	Meltzer	Proos
Ball	Hansen	Moolenaar	Robertson
Booher	Hildenbrand	Moore	Rocca

Brandenburg	Hoogendyk	Moss	Schuitmaker
Calley	Horn	Nitz	Shaffer
Casperson	Huizenga	Nofs	Sheen
Caswell	Hune	Opsommer	Stahl
Caul	Jones, Rick	Palmer	Stakoe
DeRoche	Knollenberg	Palsrok	Steil
Elsenheimer	LaJoy	Pastor	Walker
Emmons	Law, David	Pavlov	Ward
Gaffney	Marleau	Pearce	Wenke
Garfield	Meekhof		

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.

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Rep. Moore, 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:

Yet another bill discharged from committee where we have had no chance to read the bill, no public input during the committee process, and no chance to speak to it on the house floor. I will not vote for a bill that I can’t read, ask questions, and assure that it is good for the 97th district.”

Rep. Sheen, 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:

HB 5252 - This bill was discharged on to the floor, we had no opportunity to read it and the Democratic Majority would not even allow us to ask any questions on this bill. This bill did not go through the committee process as has so many of the bills over the last few weeks. This is no way to run an elected legislature. The majority has the power to out vote the opposing party on every vote, they can at least afford us the ability to ask questions and speak to a bill. The people are being short changed and their voice is being silenced by the refusal of the Democratic majority to allow the duly elected representatives of the minority no chance to speak or scrutinize legislation.”

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5253**.

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

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

### **Second Reading of Bills**

#### **House Bill No. 5253, entitled**

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

The bill was read a second time.

Rep. Meisner 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. Meisner 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. Schuitmaker moved that Rep. Steil be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 5253, entitled**

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

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

#### **Roll Call No. 397**

#### **Yeas—58**

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

#### **Nays—49**

Amos	Green	Meekhof	Pearce
Ball	Hansen	Meltzer	Proos
Booher	Hildenbrand	Moolenaar	Robertson
Brandenburg	Hoogendyk	Moore	Rocca
Calley	Horn	Moss	Schuitmaker
Casperson	Huizenga	Nitz	Shaffer
Caswell	Hune	Nofs	Sheen
Caul	Jones, Rick	Opsommer	Stahl
DeRoche	Knollenberg	Palmer	Stakoe
Elsenheimer	LaJoy	Palsrok	Walker

Emmons  
Gaffney  
Garfield

Law, David  
Marleau

Pastor  
Pavlov

Ward  
Wenke

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5254**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 5254, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3a, 4, 4a, 4d, 4k, and 9a (MCL 205.93a, 205.94, 205.94a, 205.94d, 205.94k, and 205.99a), sections 3a, 4, 4a, 4d, and 9a as amended by 2004 PA 172 and section 4k as amended by 2006 PA 18.

The bill was read a second time.

Rep. Meisner 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. Meisner moved to amend the bill as follows:

1. Amend page 3, line 6, after "**BEFORE**" by striking out "**JUNE**" and inserting "**OCTOBER**".
2. Amend page 3, line 10, after "**BEGINNING**" by striking out "**JUNE**" and inserting "**OCTOBER**".
3. Amend page 16, line 2, by striking out "**JUNE**" and inserting "**OCTOBER**".

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

Rep. Meisner 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. 5254, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3a, 4, 4a, 4d, 4k, and 9a (MCL 205.93a, 205.94, 205.94a, 205.94d, 205.94k, and 205.99a), sections 3a, 4, 4a, 4d, and 9a as amended by 2004 PA 172 and section 4k as amended by 2006 PA 18.

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

**Roll Call No. 398**

**Yeas—58**

Accavitti  
Angerer

Cushingberry  
Dean

Johnson  
Jones, Robert

Polidori  
Sak

Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

### Nays—49

Amos	Green	Meekhof	Pearce
Ball	Hansen	Meltzer	Proos
Booher	Hildenbrand	Moolenaar	Robertson
Brandenburg	Hoogendyk	Moore	Rocca
Calley	Horn	Moss	Schuitmaker
Casperson	Huizenga	Nitz	Shaffer
Caswell	Hune	Nofs	Sheen
Caul	Jones, Rick	Opsommer	Stahl
DeRoche	Knollenberg	Palmer	Stakoe
Elsenheimer	LaJoy	Palsrok	Walker
Emmons	Law, David	Pastor	Ward
Gaffney	Marleau	Pavlov	Wenke
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5255**.

The motion prevailed, a majority of the members serving voting therefor.  
 The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 5255, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 2, 4a, 4g, 4i, 4m, 4r, 4t, 4x, 4aa, and 6a (MCL 205.52, 205.54a, 205.54g, 205.54i, 205.54m, 205.54r, 205.54t, 205.54x, 205.54aa, and 205.56a), sections 2, 4a, 4g, 4i, 4m, 4r, and 4t as amended by 2004 PA 173, section 4x as amended by 2006 PA 17, section 4aa as added by 2002 PA 617, and section 6a as amended by 1993 PA 325.

The bill was read a second time.

Rep. Meisner 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. Meisner 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. 5255, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 2, 4a, 4g, 4i, 4m, 4r, 4t, 4x, 4aa, and 6a (MCL 205.52, 205.54a, 205.54g, 205.54i, 205.54m, 205.54r, 205.54t, 205.54x, 205.54aa, and 205.56a), sections 2, 4a, 4g, 4i, 4m, 4r, and 4t as amended by 2004 PA 173, section 4x as amended by 2006 PA 17, section 4aa as added by 2002 PA 617, and section 6a as amended by 1993 PA 325.

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

#### Roll Call No. 399

#### Yeas—58

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

#### Nays—49

Amos	Green	Meekhof	Pearce
Ball	Hansen	Meltzer	Proos
Booher	Hildenbrand	Moolenaar	Robertson
Brandenburg	Hoogendyk	Moore	Rocca
Calley	Horn	Moss	Schuitmaker
Casperson	Huizenga	Nitz	Shaffer
Caswell	Hune	Nofs	Sheen
Caul	Jones, Rick	Opsommer	Stahl
DeRoche	Knollenberg	Palmer	Stakoe
Elsenheimer	LaJoy	Palsrok	Walker
Emmons	Law, David	Pastor	Ward
Gaffney	Marleau	Pavlov	Wenke
Garfield			

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 1933 PA 167, entitled "General sales tax act," by amending sections 2, 4a, 4g, 4i, 4x, and 6a (MCL 205.52, 205.54a, 205.54g, 205.54i, 205.54x, and 205.56a), sections 2, 4a, 4g, and 4i as amended by 2004 PA 173, section 4x as amended by 2006 PA 17, and section 6a as amended by 1993 PA 325.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5256**.

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

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

**Second Reading of Bills**

**House Bill No. 5256, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3703, 3704, 5903, and 5904 (MCL 324.3703, 324.3704, 324.5903, and 324.5904), as added by 1995 PA 60.

The bill was read a second time.

Rep. Meisner 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. 5256, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3703, 3704, 5903, and 5904 (MCL 324.3703, 324.3704, 324.5903, and 324.5904), as added by 1995 PA 60.

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

**Roll Call No. 400**

**Yeas—58**

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayer	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson		

**Nays—49**

Amos	Green	Meekhof	Pearce
Ball	Hansen	Meltzer	Proos
Booher	Hildenbrand	Moolenaar	Robertson
Brandenburg	Hoogendyk	Moore	Rocca
Calley	Horn	Moss	Schuitmaker
Casperson	Huizenga	Nitz	Shaffer
Caswell	Hune	Nofs	Sheen
Caul	Jones, Rick	Opsommer	Stahl
DeRoche	Knollenberg	Palmer	Stakoe
Elsenheimer	LaJoy	Palsrok	Walker
Emmons	Law, David	Pastor	Ward
Gaffney	Marleau	Pavlov	Wenke
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Sheen, 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:

HB 5256 - These are deductions that were created to encourage business to purchase and install air and water pollution devices. This is a legitimate deduction not a loop-hole.”

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

Rep. Meisner offered the following concurrent resolution:

**House Concurrent Resolution No. 49.**

A concurrent resolution to create a tax credit, exemption and deduction joint study committee to make recommendations on the effectiveness and cost of tax credits, exemptions, and deductions in Michigan.

Whereas, Michigan will forego approximately \$30 billion in state revenue for fiscal year 2007-2008 as a result of preferential provisions such as exclusions, deductions, exemptions, credits, deferrals, or lower tax rates, also known as tax credits, exemptions, and deductions; and

Whereas, Michigan has recently addressed serious budget difficulties, which required the state to resolve more than a \$1.8 billion shortfall for fiscal year 2007-2008. Projections for the future include another major imbalance developing for the next fiscal year; and

Whereas, Many tax credits, exemptions and deductions support the values of Michigan, make the basic needs of Michiganders more affordable, and help support economic growth and jobs in the state; and

Whereas, A detailed study of the effectiveness of each tax credit exemption and deduction has not been undertaken during the recent budget crisis; and

Whereas, Many tax credits, exemptions, and deductions may not provide the job creation and positive economic impact originally intended. It is important to ensure that tax policies achieve economic development goals for the benefit of all Michigan citizens when balanced against the loss of revenues and state services; now therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we establish the Tax Credit, Exemption and Deduction Joint Study Committee. The joint committee shall be comprised of the following membership:

—Three members of the Senate, with two appointed by the Senate Majority Leader and one appointed by the Senate Minority Leader;

—Three members of the House, with two appointed by the Speaker of the House and one appointed by the House Minority Leader;

—A member of the organized labor community appointed jointly by the legislators appointed to the Tax Credit, Exemption and Deduction Joint Study Committee;

—A member of the business community appointed jointly by the legislators appointed to the Tax Credit Exemption and Deduction Joint Study Committee;

—A representative of the State Treasurer;

—A representative of the Director of the Department of Labor and Economic Growth; and

—A representative of the Director of the Department of Management and Budget.

The tax credit, exemption and deduction joint study committee shall explore the effectiveness of tax credits, exemptions and deductions, study their relevance in today's economy and the goals of state government, and recommend the elimination, modification, or preservation of each tax credit, exemption and deduction currently in existence; and be it further

Resolved, That the tax credit exemption and deduction joint study committee shall make recommendations to the Michigan Legislature not later than June 1, 2008; and be it further

Resolved, That the joint committee is hereby authorized to expend a maximum amount of \$5,000 in carrying out its duties and such additional expenditures deemed necessary and approved by the Senate Majority Leader and the Speaker of the House. Payment for contractual services may be authorized by the Senate Majority Leader and the Speaker of the House.

Pending the reference of the concurrent resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

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

The Clerk announced the enrollment printing and presentation to the Governor on Monday, September 24, for her approval of the following bill:

**Enrolled House Bill No. 4673 at 4:30 p.m.**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Monday, September 24:

**Senate Bill Nos. 799 800 801**

**Senate Joint Resolution H**

The Clerk announced that the following Senate bill had been received on Monday, September 24:

**Senate Bill No. 778**

#### **Messages from the Senate**

##### **Senate Bill No. 778, entitled**

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

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

#### **Notices**

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 418**, Reps. Melton, Meadows and Ball.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5194**, Reps. Tobocman, Meisner and Ward.

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4797**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4798**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 546**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 547**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4975**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4976**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 5167**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 5006**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4600**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4601**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Military and Veterans Affairs and Homeland Security from further consideration of **House Bill No. 4977**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 5005**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4542**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Commerce from further consideration of **House Bill No. 4901**.

Rep. Tobocman

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

Rep. Tobocman

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

Rep. Tobocman

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

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 774**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 5257**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 5258**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 4847**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 772**.

Rep. Proos

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

Rep. Proos

### Communications from State Officers

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

#### Notice of Filing Administrative Rules

September 24, 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 1:20 P.M. this date, administrative rule (07-09-05) for the Director's Office, Entitled "*Construction Code - Part 7. Plumbing Code*". 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. Gillard, Byrnes, Gonzales, Dean, Walker, Valentine and Cheeks introduced

#### **House Bill No. 5261, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties

of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 3 (MCL 408.473).

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

#### **Announcements by the Clerk**

September 21, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:  
Follow-up of the performance audit of the Bureau of Local Government Services, Department of Treasury,  
September 2007.

Richard J. Brown  
Clerk of the House

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Rep. Clack moved that the House adjourn.  
The motion prevailed, the time being 8:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, September 25, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives