

No. 79
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House Chamber, Lansing, Wednesday, August 29, 2007.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Byrnes.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Rep. Tonya Schuitmaker, from the 80th District, offered the following invocation:

“Dear Father in Heaven,

We come before Thee to ask a special blessing upon us today as we gather in friendship and unity. We ask Thee, Father, for strength and integrity in helping us make good and righteous decisions as we prepare to sustain the laws and legislation of this country. As leaders of this state, we have been entrusted with the responsibility of making crucial decisions for the citizens we preside over and for our great Nation. We ask for Thy blessing in maintaining our honesty and clarity of mind as we thoughtfully and thoroughly reflect on those decisions affecting the citizens we serve. As we face challenges and obstacles in our endeavors we ask for Thy influence to be with us in overcoming those challenges so we might assist those in need.

We are grateful for all the many blessings You have provided for us and hope we will share those blessings with others. Please bless us when we adjourn today, that we may travel in safety and return tomorrow refreshed and blessed with Thy influence to make each day better. We see Thy hand in all things and ask for You to be with us always. We love Thee very much and ask for these blessings, Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, August 23, for her approval of the following bills:

Enrolled House Bill No. 4517 at 3:36 p.m.

Enrolled House Bill No. 4519 at 3:38 p.m.

Enrolled House Bill No. 4641 at 3:40 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, August 23:

House Bill Nos.	5122	5123	5124	5125	5126	5127	5128	5129	5130	5131	5132	5133	5134	5135
	5136	5137	5138	5139										
Senate Bill Nos.	677	678	679	680	681	682	683	684	685	686				

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 5104, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 201 (MCL 208.1201).

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bieda, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, August 29, 2007

Present: Reps. Bieda, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil and Calley

Absent: Reps. Condino, Warren, Pastor, Palmer and Wenke

Excused: Reps. Condino, Warren, Pastor, Palmer and Wenke

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

House Bill No. 4668, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2004 PA 359.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 675, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 29, 2007

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

Absent: Reps. Gillard, Brandenburg and Caul

Excused: Reps. Gillard, Brandenburg and Caul

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, August 28, 2007

Present: Reps. Meisner, Robert Jones, Byrum, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Knollenberg and Meltzer

Absent: Reps. Accavitti, Clemente, Coulouris, Dean, Johnson, Huizenga, Stakoe and Rick Jones

Excused: Reps. Accavitti, Clemente, Coulouris, Dean, Johnson, Huizenga, Stakoe and Rick Jones

Messages from the Governor

The following message from the Governor was received August 27, 2007 and read:

EXECUTIVE ORDER

No. 2007-40

DECLARATION OF STATE OF EMERGENCY CITY OF FENTON, GENESEE COUNTY

WHEREAS, a severe storm moved through southern Michigan in the late afternoon of August 24, 2007, spawning several tornados and causing significant damage to buildings, trees, and electrical power lines;

WHEREAS, the city of Fenton suffered widespread and severe damage from this storm including damage to over 200 residences and 30 commercial buildings, as well as to Fenton's city hall, schools, and police department;

WHEREAS, numerous streets and roads within the city of Fenton remain blocked by fallen trees and other storm debris;

WHEREAS, the county of Genesee has declared a local state of emergency for the city of Fenton and has activated the disaster response and recovery aspects of their emergency operations plan to the fullest extent possible to cope with the situation;

WHEREAS, the County has determined that local resources are insufficient to address the situation and has requested state assistance;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Emergency is declared in the city of Fenton in Genesee County.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local government and officials in the city of Fenton, Genesee County, and may call upon all state departments to utilize available resources to assist in the emergency area consistent with the Michigan Emergency Management Plan.
3. The State of Emergency is terminated at such time as emergency conditions no longer exist and appropriate programs have been implemented to recover from the effects of the emergency conditions but in no case later than September 22, 2007.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 25th day of August in the year of our Lord, Two thousand and seven.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

Date: August 28, 2007
Time: 9:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4641 (Public Act No. 51, I.E.), being

An act to amend 1956 PA 40, entitled “An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties,” by amending section 21 (MCL 280.21), as amended by 1989 PA 134.

(Filed with the Secretary of State August 28, 2007, at 1:06 p.m.)

Introduction of Bills

Reps. Palmer, Knollenberg, Acciavatti, Sheen, Elsenheimer, LaJoy, David Law, Casperson, Opsommer, Emmons, Robertson, Hildenbrand, Marleau, Meltzer, Stahl, Pastor, Moolenaar, Walker, Stakoe, Rick Jones, Hune, Gaffney, Steil, Meekhof, Hoogendyk, Moss, Agema, Hansen and Horn introduced

House Bill No. 5140, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4ff.
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Meltzer, Ball, Hoogendyk, Moss, Knollenberg, Calley, Garfield, Stakoe, Nitz, Steil, Pearce, Elsenheimer, Emmons, Huizenga, Wenke, Gaffney, Stahl, Marleau, Sheen and Meekhof introduced

House Bill No. 5141, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 848a.
The bill was read a first time by its title and referred to the Committee on Oversight and Investigations.

Reps. Meltzer, Ball, Hoogendyk, Moss, Knollenberg, Calley, Garfield, Stakoe, Nitz, Steil, Pearce, Elsenheimer, Emmons, Huizenga, Wenke, Hune, Gaffney, Stahl, Marleau, Sheen and Meekhof introduced

House Bill No. 5142, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 35a.

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

Reps. Sheltroun, Griffin, Robert Jones, Young, Donigan, Mayes, Rick Jones, Polidori, Pastor, Vagnozzi, Hansen and Dean introduced

House Bill No. 5143, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

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

Rep. Huizenga introduced

House Bill No. 5144, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 8a and 10 (MCL 125.2688a and 125.2690), section 8a as amended by 2006 PA 476 and section 10 as amended by 2005 PA 164.

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

Reps. Brown, Ball, Polidori, Kathleen Law, Knollenberg, Leland, Espinoza, Mayes, Byrum, Constan and Melton introduced

House Bill No. 5145, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 451. The bill was read a first time by its title and referred to the Committee on Energy and Technology.

Reps. Meltzer, Calley, Stahl, Rocca, Knollenberg, Garfield, Nitz, Steil, Wenke, Elsenheimer, Huizenga, Emmons, Hune, Virgil Smith, Gaffney, Marleau, Sheen and Meekhof introduced

House Bill No. 5146, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 9 (MCL 28.729), as amended by 2005 PA 132.

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

Reps. Bieda, Warren, LeBlanc, Condino, Young, Donigan, Simpson, Ebli, Corriveau, Farrah, Rocca, Lemmons, Accavitti, Gaffney, Hune, Virgil Smith, Mayes, Melton, Kathleen Law, Miller, Hopgood, Constan, Meisner, Polidori, Griffin, Leland, Robertson, Alma Smith, Stakoe, Dean, Johnson, Angerer, Sheltroun, Wojno, Pastor, Garfield, Meltzer, Brown, Byrum, Cushingberry, Lahti, Lindberg, McDowell, Ward, Palsrok, Moolenaar, Moss, Marleau, Hansen, Walker, Emmons, Agema, Proos, Meekhof, Bauer, Coulouris, Cheeks, Meadows, Vagnozzi, Hammon, Hammel, Tobocman, Sak, Valentine, Bennett, Hood, Gillard, Espinoza, Scott, Byrnes, Spade, Robert Jones, Wenke and Clemente introduced

House Bill No. 5147, entitled

A bill to provide standards for reverse vending machines; to prohibit the use, replacement, leasing, transfer, and sales of certain designs of reverse vending machines; to prescribe penalties for violations of this act; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Reps. Bieda, Warren, LeBlanc, Condino, Young, Donigan, Simpson, Ebli, Corriveau, Farrah, Rocca, Lemmons, Accavitti, Gaffney, Hune, Virgil Smith, Mayes, Melton, Kathleen Law, Miller, Hopgood, Constan, Meisner, Polidori, Griffin, Leland, Robertson, Alma Smith, Stakoe, Dean, Johnson, Angerer, Sheltroun, Wojno, Pastor, Garfield, Meltzer, Brown, Byrum, Cushingberry, Lahti, McDowell, Lindberg, Ward, Palsrok, Moolenaar, Moss, Marleau, Hansen, Walker, Emmons, Agema, Proos, Meekhof, Bauer, Coulouris, Meadows, Vagnozzi, Hammon, Hammel, Tobocman, Sak, Valentine, Bennett, Hood, Gillard, Espinoza, Scott, Byrnes, Spade, Cheeks, Robert Jones, Wenke and Clemente introduced

House Bill No. 5148, entitled

A bill to require identifying marking of certain beverage containers; to prohibit the use of certain reverse vending machines; to prescribe penalties for violations of this act; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

Rep. Espinoza introduced

House Bill No. 5149, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

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

Associate Speaker Pro Tempore Byrnes declared the House adjourned until Thursday, August 30, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

