

**No. 108**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Tuesday, October 16, 2007.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. John Garfield, from the 45th District, offered the following invocation:

“Dear Father, in the name of the Lord Jesus, I pray for our nation’s economy. I know that like a strong military, a strong economy is necessary to keep a nation powerful.

Father, I pray that You would raise up people of skill and wisdom who will affect the economy of our state and ultimately our nation. Give us inspired ideas and a voice with the powers that be.

Cause our senate, fellow house members and our nation’s congress to vote aright in all matters. Give each of us foresight so that provision might be made for our nation’s future, not just its present.

Father, as the people of our nation continue to finance the preaching of the gospel and help the poor all over the world, I pray that You would continue to prosper us more and more.

We also pray for our soldiers, sailors and airmen, that they would be safe. I pray that we will never forget to honor those who have paid the ultimate sacrifice of their lives and their families.

Thank You Father, for our many blessings. In Jesus name we pray, AMEN.”

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 107.**

A resolution to memorialize Congress to reauthorize Amtrak funding and support states in their efforts to expand passenger rail service.

(For text of resolution, see House Journal No. 47, p. 696.)

(The resolution was reported by the Committee on Transportation on October 11, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Second Reading of Bills

#### **Senate Bill No. 347, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 437 and 440 (MCL 206.437 and 206.440), section 437 as added by 2005 PA 249 and section 440 as amended by 2005 PA 160, and by adding section 435.

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

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

Rep. Bieda moved to amend the bill as follows:

1. Amend page 2, line 9, after “**CANCER**” by striking out “**PREVENTION AND TREATMENT**” and inserting “**RESEARCH**”.

2. Amend page 2, line 10, after “**CANCER**” by striking out “**PREVENTION AND TREATMENT**” and inserting “**RESEARCH**”.

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

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

The motion prevailed.

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

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

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Rep. Palsrok moved that Rep. Moss 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. 347, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 437 and 440 (MCL 206.437 and 206.440), section 437 as added by 2005 PA 249 and section 440 as amended by 2005 PA 160, and by adding section 435.

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

**Roll Call No. 477**

**Yeas—106**

Accavitti	DeRoche	Lahti	Polidori
Acciavatti	Dillon	LaJoy	Proos
Agema	Donigan	Law, David	Robertson
Amos	Ebli	Law, Kathleen	Rocca
Angerer	Elsenheimer	LeBlanc	Sak
Ball	Emmons	Leland	Schuitmaker
Bauer	Espinoza	Lemmons	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
Calley	Hammon	Melton	Stahl
Casperson	Hansen	Meltzer	Stakoe
Caswell	Hildenbrand	Miller	Steil
Caul	Hood	Moolenaar	Tobocman
Cheeks	Hopgood	Moore	Vagnozzi
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palsrok	Warren
Corriveau	Johnson	Pastor	Wenke
Coulouris	Jones, Rick	Pavlov	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean	Knollenberg		

**Nays—3**

Garfield	Hoogendyk	Palmer
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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, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”

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

### Second Reading of Bills

#### **Senate Bill No. 16, entitled**

A bill to establish the prostate cancer research fund in the department of community health; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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.

#### **Senate Bill No. 348, entitled**

A bill to establish the Amanda's fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

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.

#### **Senate Bill No. 350, entitled**

A bill to establish the animal welfare fund in the department of agriculture; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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.

Pending the Second Reading of

#### **House Bill No. 4822, entitled**

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

Rep. Tobocman moved that the bill be re-referred to the Committee on Intergovernmental, Urban and Regional Affairs.

The motion prevailed.

Pending the Second Reading of

#### **House Bill No. 4823, entitled**

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," by amending the title and section 2 (MCL 28.632) and by adding section 4a.

Rep. Tobocman moved that the bill be re-referred to the Committee on Intergovernmental, Urban and Regional Affairs.

The motion prevailed.

#### **House Bill No. 5034, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8501 (MCL 324.8501), as amended by 2006 PA 503.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5035, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8517 (MCL 324.8517), as added by 1998 PA 276.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4763, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5453 (MCL 333.5453), as amended by 2002 PA 644.

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

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

Rep. Mayes 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. 4763, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5453 (MCL 333.5453), as amended by 2002 PA 644.

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

**Roll Call No. 478****Yeas—105**

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

**Nays—4**

Accavitti

Brandenburg

Nofs

Stahl

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. 5021, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

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. Hopgood moved to amend the bill as follows:

1. Amend page 2, line 21, after "(3)" by striking out "A" and inserting "**EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A**".

2. Amend page 2, line 24, after "standards." by striking out the balance of the line through "**CONTROL.**" on line 27 and inserting "**AN AFTERMARKET VISUAL DEVICE DESCRIBED IN SUBSECTION (2)(A) OR (B) MAY BE INSTALLED OR MOUNTED ON THE WINDSHIELD OR ABOVE THE DASHBOARD, BUT SHALL NOT BE MOUNTED WITHIN THE DEPLOYMENT PROFILE OF THE VEHICLE AIRBAGS OR IN A MANNER THAT INTERFERES WITH THE OPERATOR'S VIEW OR CONTROL.**".

3. Amend page 3, line 1, after "a" by striking out the balance of the line through "**TO**" on line 2.

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

Rep. Angerer 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. 5021, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 708b (MCL 257.708b), as amended by 2004 PA 362.

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

**Roll Call No. 479****Yeas—109**

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker

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

### 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

### Motions and Resolutions

Reps. Johnson, Hammon, Cushingberry, Vagnozzi, Alma Smith, Young, Clack, Accavitti, Constan, Dean, Farrah, Kathleen Law, Lemmons, Melton, Miller, Sak, Stahl, Tobocman, Warren, Gonzales, Hammel, Leland and Polidori offered the following resolution:

#### House Resolution No. 208.

A resolution to memorialize the Congress of the United States to expand the food assistance program to allow all recipients of the Electronic Benefits Transfer (EBT) card to use it in approved restaurants.

Whereas, Current United States Department of Agriculture rules allow senior citizens, homeless and disabled recipients of the food assistance program to purchase prepared food in certain approved restaurants. This flexibility has made obtaining meals easier for senior citizens and the disabled who are unable to prepare meals, and for the homeless who cannot store perishable grocery items. The use of EBT cards has further simplified transactions for food and other purchases and has opened the food assistance program to new options for recipients; and

Whereas, This program can be beneficial to homeless and disabled families and individuals who are in other categories of the food assistance program. In addition to opening a wide array of food choices, a more flexible program that includes approved restaurants that offer on-site meal preparation, discount prices, and healthy food choices would also provide a time- saving alternative for families when necessary; and

Whereas, By expanding the food assistance program to include all categories of recipients, more families will have the option to make wider food selections; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to expand the use of EBT cards for all categories of food assistance recipients; 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 Families and Children's Services.

Reps. Sak, Accavitti, Brown, Byrnes, Caul, Constan, Coulouris, Cushingberry, Dean, Farrah, Green, Hammon, Hildenbrand, Johnson, Rick Jones, Robert Jones, LaJoy, Kathleen Law, LeBlanc, Lemmons, Mayes, McDowell, Moore, Palmer, Palsrok, Proos, Scott, Shaffer, Sheltroun, Spade, Stahl, Tobocman, Vagnozzi, Warren, Wojno, Clack, Gonzales, Hammel, Leland, Polidori and Bieda offered the following resolution:

**House Resolution No. 209.**

A resolution recognizing October 15-19, 2007, as Credit Union Week and honoring all Michigan credit unions.

Whereas, Credit unions have been organized in Michigan since the 1930's, they have a proud tradition of innovation and leadership among the nation's credit unions. The Michigan credit union movement is one of growth, success and progress; and

Whereas, Michigan credit unions are rooted in the communities in which they serve, whether supporting local charities, offering financial education seminars or operating student-run credit union branches in schools. They do this voluntarily, because as not-for-profit, member-owned financial cooperatives, credit unions recognize that social responsibility is an integral part of their mission; and

Whereas, Michigan credit unions have saved Michigan residents an estimated \$326,000,000 through lower fees and better loan rates for 12 months ending June 2006; and

Whereas, Michigan credit unions remain informed through the assist of the Michigan Credit Union League which has focused exclusively on serving its members throughout its 72-year history, a commitment that is concisely expressed in its mission statement: To foster, protect and promote the vitality of credit unions by providing programs and services that will enhance their ability to enrich the lives of their members; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Michigan credit unions as they celebrate Credit Union Week.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Coulouris, Accavitti, Brown, Byrnes, Caswell, Constan, Cushingberry, Dean, Farrah, Green, Hammon, Hildenbrand, Johnson, Rick Jones, Robert Jones, LaJoy, Kathleen Law, LeBlanc, Lemmons, Mayes, McDowell, Melton, Moore, Palmer, Palsrok, Proos, Sak, Sheltroun, Spade, Stahl, Tobocman, Vagnozzi, Warren, Wojno, Byrum, Clack, Gonzales, Hammel, Leland, Polidori and Bieda offered the following resolution:

**House Resolution No. 210.**

A resolution declaring October 14-20, 2007, as Credit Union Week in the state of Michigan.

Whereas, The vitality and stability of Michigan's economy is important to continued business growth, expanded employment opportunities, and improved financial security for the people of this state; and

Whereas, Credit unions were created as cooperative, not-for-profit financial institutions committed to the economic improvement of their membership; and

Whereas, Credit unions continue to provide their 4.4 million Michigan members access to affordable, reliable financial services; and

Whereas, Credit unions continue to improve the financial literacy of their members and the community, following the credit union philosophy of "People Helping People"; and

Whereas, During the week of October 14-20, 2007, credit unions throughout the nation will celebrate 82 years of providing competent financial services in a democratic, cooperative manner to citizens of both our Great Lakes State, and our nation; now, therefore, be it,

Resolved by the House of Representatives, That this legislative body declares October 14-20, 2007, as Credit Union Week in Michigan. We honor the contributions that credit unions make to building better communities with their Community Reinvestment Initiatives.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Johnson, Hammel, Hammon, Constan, Cushingberry, Clack, Vagnozzi, Alma Smith, Meadows, Young, Coulouris, Lemmons, Scott, Virgil Smith, Hood, Farrah, David Law, Mayes, Warren, Clemente, Jackson, Cheeks, Accavitti, Dean, Robert Jones, Kathleen Law, LeBlanc, Melton, Miller, Sak, Sheltroun, Stahl, Tobocman, Gonzales, Leland and Bieda offered the following concurrent resolution:

**House Concurrent Resolution No. 52.**

A concurrent resolution to call for changes in state tax and housing policy to deal with urban areas that are subject to high rates of home mortgage foreclosure and tax delinquency.



Whereas, Michigan leads the nation in the rate of home mortgage foreclosures. This problem is particularly acute in our urban areas where the state’s economy has been hit the hardest, and where predatory lending practices and redlining have further contributed to the problem. Tax delinquency is also a pressing concern in our urban core communities. Clearly, efforts to support homeownership pay dividends to us all. While mortgage foreclosure is a free market business issue and tax delinquency is a public concern, these problems have common economic and social roots. Potential solutions may likewise be available to address both of these problems. It will require a long-run public-private commitment to home ownership, housing preservation, and community development; and

Whereas, In the more immediate term, an investment in preserving homeownership must begin with intergovernmental cooperation and the assistance of the local financial community. The state could be a leader in this effort with initiatives to reduce the property tax burden on those in urban neighborhoods with high rates of mortgage foreclosure and tax delinquency through the establishment of “Local Protected Tax Zones,” defined as specific geographical areas within a local jurisdiction identified by the local unit as being critical to the preservation of residential property values; and

Whereas, As envisioned, the Department of Treasury could designate up to two local protected tax zones in an eligible community each year. The department would select these zones based on demonstrated need, evidence of a residential property value stabilization plan, identification of a local nonprofit plan manager, and the submission of any applicable administration fees. In addition, under its rights of first refusal pursuant to the reforms associated with 1999 PA 123’s expedited property tax foreclosure process, a foreclosing governmental entity could transfer reverted properties within these local protected tax zones to the nonprofit residential property value stabilization plan manager on a minimum bid basis. The refurbishing and reuse of these properties would be a critical component of this property value stabilization effort; and

Whereas, In recognition of the immediacy of the problem, the state of Michigan should adopt a pilot local protected tax zone initiative. The Northwest Detroit Community Coalition, and its preferred nonprofit manager, National Faith Home Buyers in zip codes 48221 and 48235, stands ready to take reverted properties for reuse and community renewal. The state, in cooperation with the city of Detroit and the United States Department of Housing and Urban Development, could design and launch the pilot program within the zone associated with the Detroit Housing Commission’s Scattered Site Program; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we hereby call for changes in state tax and housing policy to deal with urban areas that are subject to high rates of home mortgage foreclosure and tax delinquency; and be it further

Resolved, That copies of this resolution be transmitted to the Offices of the Governor and the Mayor of the city of Detroit, the Michigan Department of Treasury, the Detroit City Council, the Wayne County Treasurer, and the United States Department of Housing and Urban Development.

The concurrent resolution was referred to the Committee on Banking and Financial Services.

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, October 11:

<b>House Bill Nos.</b>	<b>5282</b>	<b>5283</b>	<b>5284</b>	<b>5285</b>	<b>5286</b>	<b>5287</b>	<b>5288</b>	<b>5289</b>	<b>5290</b>	<b>5291</b>	<b>5292</b>	<b>5293</b>	<b>5294</b>	<b>5295</b>
	<b>5296</b>	<b>5297</b>	<b>5298</b>	<b>5299</b>	<b>5300</b>	<b>5301</b>	<b>5302</b>	<b>5303</b>	<b>5304</b>	<b>5305</b>	<b>5306</b>	<b>5307</b>	<b>5308</b>	<b>5309</b>
	<b>5310</b>													

The Clerk announced the enrollment printing and presentation to the Governor on Monday, October 15, for her approval of the following bill:

**Enrolled House Bill No. 4956 at 1:53 p.m.**

**Reports of Standing Committees**

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

**House Bill No. 4050, entitled**

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2006 PA 508, and by adding section 3e.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: Rep. Huizenga

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

**House Bill No. 4317, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2006 PA 508.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson and Valentine

Nays: Reps. Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

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

**House Bill No. 4680, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," (MCL 445.901 to 445.922) by adding section 3f.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Simpson and Valentine

Nays: Reps. Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 16, 2007

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

The Committee on Education, by Rep. Melton, Chair, reported

**Senate Bill No. 403, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2006 PA 623.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller and Polidori

Nays: Reps. Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Hildenbrand, Schuitmaker and Knollenberg

The Committee on Education, by Rep. Melton, Chair, reported  
**Senate Bill No. 571, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1311 and 1311a (MCL 380.1311 and 380.1311a), section 1311 as amended by 1999 PA 23 and section 1311a as amended by 2000 PA 230.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Hildenbrand, Schuitmaker and Knollenberg

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 16, 2007

Present: Reps. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Hildenbrand, Schuitmaker and Knollenberg

Absent: Reps. Scott and Opsommer

Excused: Reps. Scott and Opsommer

The Committee on Senior Health, Security, and Retirement, by Rep. Robert Jones, Chair, reported

**House Resolution No. 207.**

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

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Robert Jones, Constan, Hopgood, Lemmons, Warren, Ball, Sheen and Stahl

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, October 16, 2007

Present: Reps. Robert Jones, Constan, Hopgood, Lemmons, Warren, Ball, Sheen and Stahl

Absent: Rep. Green

Excused: Rep. Green

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 16, 2007

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker, Stakoe and Horn

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Tuesday, October 16, 2007

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

**Messages from the Senate**

**House Bill No. 5251, 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 Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**Notices**

October 16, 2007

Rich Brown  
Clerk of the House

Mr. Clerk,

I hereby make the following committee assignment changes:

**Appropriations:**

Remove Rep. Agema

Appoint Rep. Walker

**Agriculture:**

Remove Rep. Walker

Appoint Rep. Agema

And appoint Rep. Ball as minority vice-chair.

**Great Lakes and Environment:**

Remove Rep. Walker

Appoint Rep. Agema

**Tourism, Outdoor Recreation and Natural Resources:**

Remove Rep. Walker

Appoint Rep. Agema

**Health Policy:**

Remove Rep. Ward

Appoint Rep. Robertson

Regards,  
Andy Dillon  
Speaker of the House  
Michigan House of Representatives

**Messages from the Governor**

Date: October 16, 2007

Time: 8:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4956 (Public Act No. 113, I.E.), being**

An act to amend 2000 PA 92, entitled "An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing,

selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts," by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, and 4107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, and 289.4107), sections 1109 and 3119 as amended by 2002 PA 487; and to repeal acts and parts of acts.

(Filed with the Secretary of State October 16, 2007, at 9:46 a.m.)

### Introduction of Bills

Reps. Proos, Johnson, Virgil Smith, Ball, Angerer, Acciavatti, Pavlov, Moss, Marleau, Palsrok and Huizenga introduced **House Bill No. 5311, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 253. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Proos, Johnson, Virgil Smith, Acciavatti, Pavlov, Moss, Marleau, Palsrok and Huizenga introduced **House Bill No. 5312, 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 Tax Policy.

Reps. Proos, Johnson, Virgil Smith, Ball, Angerer, Acciavatti, Pavlov, Moss, Marleau, Palsrok and Huizenga introduced **House Bill No. 5313, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 18.

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

Reps. Hammon, Gonzales, LeBlanc, Miller, Hammel, Clack, Alma Smith and Johnson introduced **House Bill No. 5314, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4805 (MCL 600.4805), as amended by 2003 PA 178.

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

Reps. Hammon, Gonzales, Hammel, Clack and Alma Smith introduced **House Bill No. 5315, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2004 PA 495, and by adding section 615a; and to repeal acts and parts of acts.

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

Reps. Miller, Accavitti, Jackson, Hansen, LaJoy, Gonzales, Polidori, Bieda, Dean, Hopgood, Warren, Meisner, Clack, Scott, Leland, Hammon, Vagnozzi, Lemmons and Byrnes introduced

**House Bill No. 5316, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 241b (MCL 18.1241b), as added by 1995 PA 38.

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

Reps. Byrum, Nitz, Opsommer, Ball, Moss, Pavlov, Agema, Marleau and Meekhof introduced

**House Bill No. 5317, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 20126b.

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

Reps. Sheltroun, Moore, Melton and Valentine introduced

**House Bill No. 5318, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541), as amended by 2006 PA 253.

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

Reps. Jackson, Tobocman, Johnson, Lemmons, Meadows, Farrah, Opsommer, Clack, Hammon, Leland, Cushingberry and Cheeks introduced

**House Bill No. 5319, entitled**

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

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

Reps. Nitz, Meekhof and Agema introduced

**House Bill No. 5320, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80152 (MCL 324.80152), as amended by 1999 PA 19.

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

Reps. Amos, Knollenberg, Opsommer, David Law, Gaffney, Hune, Rick Jones, Steil, Stahl, Wenke, LaJoy, Marleau and Garfield introduced

**House Bill No. 5321, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2006 PA 403.

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

### Announcements by the Clerk

October 12, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:

Follow-up of the performance audit of Human Resources Management Network (HRMN) Self-Service, Department of Civil Service, October 2007.

Richard J. Brown  
Clerk of the House

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

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 17, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives