

No. 119
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House of Representatives
94th Legislature
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House Chamber, Lansing, Tuesday, November 6, 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—excused	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—excused	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. Tom Pearce, from the 73rd District, offered the following invocation:

“In preparation for the prayer I need to share just a quick story. I had the privilege of hearing a great teacher of God’s word, before he passed away. His name was Ron Benson. Ron spent much of his life in the hospital due to frailty. He talked about there are warm places in the hospital and there are cold places in the hospital. One of the warmest places he identified was the night nursing staff. I’ll never forget the words that he shared. He said ‘you can be hurting and you would push a button and they’d come in and they would clean you where you were dirty, bind you where you were wounded and touch you where you hurt and then fluff the pillow beneath your head and lay you back down and say “now try to get some rest but if you need me, just call.”’

Father, may we as Your servants today understand that the role in our lives as individuals is to see the people You put in our path and be willing to clean them where they are dirty, to bind them where they are wounded, to touch them where they hurt and to be ready to do it all over again. We thank You for Your willingness to come and heal our hearts. Lord, today may we reach out to others as You have reached out to us. In Jesus’ name, Amen.”

Rep. Tobocman moved that Reps. Byrnes and Jackson be excused from today’s session.
The motion prevailed.

Third Reading of Bills

Senate Bill No. 79, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 223 (MCL 257.223).
(The bill was returned in accordance with the request of the House, Rule 63 suspended, passage reconsidered and bill postponed for the day on October 30, see House Journal No. 116, p. 2100.)
The question being on the passage of the bill,

Rep. Tobocman moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

Senate Bill No. 79, entitled

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

Rep. Tobocman moved that Rule 63 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. LeBlanc.

The motion prevailed, a majority of the members serving voting therefor.
The question being on the adoption of the amendment offered previously by Rep. LeBlanc,
The amendment was not adopted, a majority of the members serving not voting therefor.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 79, entitled

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

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

Roll Call No. 517

Yeas—108

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

Nays—0

In The Chair: Sak

Messages from the Governor

The following line item veto message from the Governor was received and read:

Executive Office, Lansing, October 31, 2007

Michigan House
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4354**, which provides \$289.2 million to support the fiscal year 2008 operations of the Department of Natural Resources. I am, however, returning it to you because of one item of which I

disapprove, pursuant to Article V, section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

My action today completes the fiscal year 2008 budget for the Department of Natural Resources and provides funding for a wide variety of recreational and conservation activities available to the public, including over \$60 million for parks and recreation and nearly \$40 million for management of forests. In addition, this bill provides over \$14 million in support of the payments in lieu of taxes program.

My action today vetoes one item with which I do not concur. I have vetoed section 802, which appropriates general fund resources for support of the cooperative resources management initiative program in the Department of Agriculture. I cannot support use of general fund for this discretionary program during these tough fiscal times.

This bill supports the essential operations of the Department of Natural Resources and I thank the Legislature for its cooperation in finalizing the fiscal year 2008 budget.

Sincerely,
Jennifer M. Granholm
Governor

This bill was signed by the Governor October 31, 2007, at 4:35 p.m.

This bill was filed with the Secretary of State October 31, 2007, at 10:23 p.m. and assigned Public Act No. 122, I.E.

The question being on the passage of the disapproved item, the objections of the Governor to the contrary notwithstanding,

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

The motion prevailed.

The following line item veto message from the Governor was received and read:

Executive Office, Lansing, October 31, 2007

Michigan House
State Capitol Building
Lansing, MI 48933

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4358**, which provides \$370.8 million to support the fiscal year 2008 operations of the Department of Environmental Quality. I am, however, returning it to you because of one item of which I disapprove, pursuant to Article V, section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have vetoed section 1103, which earmarks \$250,000 for a real-time water quality monitoring grant for the St. Clair watershed. While I support real-time water quality monitoring, significant state resources have been appropriated in prior years for this purpose. The local units of government have agreed to use the unspent balance of fiscal year 2007 dollars to develop a local sustainable funding plan for real-time water quality monitoring.

This bill supports the essential operations of the Department of Environmental Quality and I thank the Legislature for its cooperation in finalizing the fiscal year 2008 budget.

Sincerely,
Jennifer M. Granholm
Governor

This bill was signed by the Governor October 31, 2007, at 4:40 p.m.

This bill was filed with the Secretary of State October 31, 2007, at 10:21 p.m. and assigned Public Act No. 121, I.E.

The question being on the passage of the disapproved item, the objections of the Governor to the contrary notwithstanding,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Angerer, Gonzales, Polidori, Condino, Rick Jones, Tobocman, Sheltrown, Byrnes, Kathleen Law, Sak, Miller, Marleau, Warren, Gillard, Young, Mayes, Booher, Hansen, Wojno, Dean, Ball, Bauer, Bieda, Brandenburg, Brown, Casperson, Caswell, Clack, Constan, Cushingberry, Espinoza, Farrah, Green, Hammel, Hammon, Hildenbrand, Hopgood, Huizenga, Johnson, Robert Jones, LaJoy, David Law, Leland, Lemmons, McDowell, Melton, Moolenaar, Nitz, Palmer, Pastor, Proos, Scott, Shaffer, Spade, Stahl, Steil, Vagnozzi and Valentine offered the following resolution:

House Resolution No. 226.

A resolution recognizing November 2007 as Diabetes Awareness Month in the state of Michigan.

Whereas, Diabetes is a chronic disease for which there is currently no known cure. It is the sixth leading cause of death in the United States; and

Whereas, Individuals with type 1 diabetes cannot produce any of their own insulin or amylin, which are the hormones needed to help regulate sugar and food stores in the body; and

Whereas, Individuals with type 2, or adult on-set diabetes, cannot produce enough of their own insulin or amylin and often do not exhibit symptoms in the early stages of the disease; and

Whereas, The serious long-term complications of high blood sugar levels may include blindness, lower-extremity amputation, heart disease, kidney failure, and premature death; and

Whereas, In recent years, the number of individuals diagnosed with diabetes has increased 41 percent; and

Whereas, Nine out of 10 individuals who are newly diagnosed with adult on-set diabetes also suffer from obesity; and

Whereas, America is facing a diabetes epidemic, as an estimated 20.8 million Americans are living with the disease nationwide; and

Whereas, Diabetes is a leading health problem in Michigan with an estimated 593,200 adults in Michigan currently living with the disease; and

Whereas, Michigan's prevalence rate exceeds the national prevalence rate of seven percent of the population; and

Whereas, The keys to reducing the incidence of, and complications associated with, diabetes are education, early detection, control and proper treatment; and

Whereas, The earlier a person is diagnosed with diabetes and receives treatment, the better the person's chances are for avoiding diabetes complications; and

Whereas, The first line of treatment recommended by all treatment standards is diet and exercise. A healthy diet and the loss of excess weight can have a positive impact on the body's ability to fight-off disease; and

Whereas, It has been shown that modest weight loss may help to lower blood sugar, blood pressure, and improve the levels of fats in the bloodstream, which is beneficial to the treatment of diabetes and other metabolic diseases; and

Whereas, Traditionally those at highest risk include older citizens, who have a family history of the disease and who are overweight. However, in recent years there has been an alarming increase in the growing number of young people who are being diagnosed with diabetes, which is attributed to lifestyle and excessive body mass; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the month of November 2007 as Diabetes Awareness Month in the state of Michigan; and be it further

Resolved, That to reduce the rate of diabetes and its complications among high-risk populations, individuals are encouraged to seek early screening and early treatment. Healthcare providers are encouraged to improve care for the control of diabetes and the treatment of major complications; and be it further

Resolved, That healthcare providers are encouraged to adopt generally recognized clinical practice guidelines such as the American Diabetes Association goals, recommendations and standards that identify the reduction of body mass index (BMI), cardiovascular risk issues and glycemic control as key factors to managing diabetes; and be it further

Resolved, That healthcare providers are encouraged, as they detect and treat the emerging diabetes epidemic, to engage in an aggressive program with their patients, including dietary counseling and exercise, measurements of body weight, and other associated risk factors; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Chapter of the American Diabetes Association, Michigan Department of Community Health, Michigan State Medical Society, Michigan Nurses Association and the Michigan Primary Care Association.

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. Polidori, Angerer, Ball, Bauer, Bieda, Booher, Brandenburg, Brown, Casperson, Caswell, Clack, Condino, Constan, Cushingberry, Dean, Espinoza, Farrah, Garfield, Gillard, Gonzales, Green, Hammel, Hammon, Hildenbrand, Hood, Hopgood, Huizenga, Johnson, Rick Jones, Robert Jones, LaJoy, David Law, Kathleen Law, Leland, Lemmons, Marleau, Mayes, McDowell, Melton, Moolenaar, Nitz, Palmer, Pastor, Proos, Rocca, Sak, Scott, Shaffer, Sheltroun, Spade, Stahl, Steil, Tobocman, Vagnozzi, Valentine, Warren and Wojno offered the following resolution:

House Resolution No. 227.

A resolution recognizing November 12, 2007, as Military Moms' Day in the state of Michigan.

Whereas, Members of the United States Military have brought great honor to our nation and have given true meaning to the highest standard of patriotism and service; they have voluntarily forgone comfort and wealth, accepted the necessary sacrifices, and even given their lives so that we and others around the world may live in freedom; and

Whereas, Since its inception, Military Moms has worked to support and provide encouragement to families of military personnel of all branches of service; and

Whereas, Today the love and support of family and friends is crucial to the members of the military who continue their proud service in many roles. Military Moms is instrumental in sharing supportive messages and care packages with our deployed troops; and

Whereas, Current events have given us a renewed appreciation for the members of the military and their families, and we thank those who are currently serving in Iraq and Afghanistan, and around the world; and now therefore be it,

Resolved by the House of Representatives, That the members of this legislative body recognize November 12, 2007, as Military Moms' Day in the state Michigan; and be it further

Resolved, That we honor and thank Military Moms and all parents of armed services personnel. The special role they provide, with loyal and unselfish love and dedication each day, is the backbone and strength of our military; and be it further

Resolved, That copies of this resolution be transmitted to Michigan Military Moms as a token of our esteem and respect.

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. Brown, Valentine, Angerer, Ball, Bauer, Bieda, Brandenburg, Clack, Condino, Constan, Cushingberry, Dean, Espinoza, Farrah, Gillard, Gonzales, Hammel, Hammon, Hopgood, Johnson, Rick Jones, Robert Jones, Kathleen Law, Leland, Lemmons, McDowell, Melton, Polidori, Rocca, Sak, Scott, Sheltroun, Spade, Tobocman, Vagnozzi, Warren and Wojno offered the following resolution:

House Resolution No. 228.

A resolution to memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act.

Whereas, Following several years of effort, Congress passed the Water Resources Development Act with overwhelming bipartisan support. This bill represents a comprehensive approach to addressing some of the most serious issues facing parts of our country, including several provisions critical to the economy and environment of the Great Lakes region. This legislation represents an investment that will save lives and property, improve commerce, and protect water resources across our country. In many respects, not undertaking the projects addressed in the Water Resources Development Act could prove to be very costly for our nation; and

Whereas, The Water Resources Development Act addresses critical water infrastructure problems and grave threats to the environment. Among projects particularly vital to Michigan are provisions to protect the Great Lakes from the Asian carp, expand the Soo Locks, expedite dredging projects, and improve infrastructure to stop combined sewer overflows, which are a major source of pollution in the Great Lakes and other bodies of water in Michigan. On a national scale, this legislation is thought by many to be crucial to preventing catastrophic flooding in several areas; and

Whereas, It is significant to note that the Water Resources Development Act is an authorization measure. It does not circumvent the normal appropriation process. Funding will still have to be approved to assure the wise expenditure of the public's money. Instead, this vital legislation, crafted and supported by members of both parties, seeks to set a framework for the nation to follow to protect itself from threats from storms, pollution, and many challenges to our vital water infrastructure and natural resources; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act; and be it further

Resolved, That copies of this resolution be transmitted to the majority and minority leaders 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 Great Lakes and Environment.

Reps. Valentine, Brown, Angerer, Ball, Bauer, Bieda, Brandenburg, Clack, Condino, Constan, Cushingberry, Dean, Espinoza, Farrah, Gillard, Gonzales, Hammel, Hopgood, Johnson, Rick Jones, Robert Jones, Kathleen Law, Leland, Lemmons, McDowell, Melton, Polidori, Rocca, Sak, Scott, Spade, Tobocman, Vagnozzi, Warren and Wojno offered the following concurrent resolution:

House Concurrent Resolution No. 56.

A concurrent resolution to memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act.

Whereas, Following several years of effort, Congress passed the Water Resources Development Act with overwhelming bipartisan support. This bill represents a comprehensive approach to addressing some of the most serious issues facing parts of our country, including several provisions critical to the economy and environment of the Great Lakes region. This legislation represents an investment that will save lives and property, improve commerce, and protect water resources across our country. In many respects, not undertaking the projects addressed in the Water Resources Development Act could prove to be very costly for our nation; and

Whereas, The Water Resources Development Act addresses critical water infrastructure problems and grave threats to the environment. Among projects particularly vital to Michigan are provisions to protect the Great Lakes from the Asian carp, expand the Soo Locks, expedite dredging projects, and improve infrastructure to stop combined sewer overflows, which are a major source of pollution in the Great Lakes and other bodies of water in Michigan. On a national scale, this legislation is thought by many to be crucial to preventing catastrophic flooding in several areas; and

Whereas, It is significant to note that the Water Resources Development Act is an authorization measure. It does not circumvent the normal appropriation process. Funding will still have to be approved to assure the wise expenditure of the public’s money. Instead, this vital legislation, crafted and supported by members of both parties, seeks to set a framework for the nation to follow to protect itself from threats from storms, pollution, and many challenges to our vital water infrastructure and natural resources; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to override the presidential veto of the Water Resources Development Act; and be it further

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

The concurrent resolution was referred to the Committee on Great Lakes and Environment.

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, November 1:

House Bill No. 5409
Senate Bill Nos. 868 869

The Clerk announced that the following Senate bills had been received on Thursday, November 1:

Senate Bill Nos. 92 640 752 845

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, November 2:

Senate Bill Nos. 864 865 866 867 870 871 872 873 874 875 876 877 878

The Clerk announced that the following Senate bills had been received on Tuesday, November 6:

Senate Bill Nos. 826 827 828 829 830 831 832 833

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, November 6:

Senate Bill Nos. 879 880 881 882 883

Reports of Standing Committees

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

House Bill No. 5330, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 421 (MCL 208.1421).

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. Bieda, Farrah, Robert Jones, Mayes, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Steil, Pastor 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: Tuesday, November 6, 2007

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

Absent: Reps. Condino, Meisner and Palmer

Excused: Reps. Condino, Meisner and Palmer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 1, 2007

Present: Reps. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen and Wenke

Absent: Reps. Farrah, Steil, Pastor, Palmer and Calley

Excused: Reps. Farrah, Steil, Pastor, Palmer and Calley

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meadows, Chair, of the Committee on Retiree Health Care Reforms, was received and read:

Meeting held on: Thursday, November 1, 2007

Present: Reps. Meadows, Spade, Alma Smith, Wenke, Knollenberg and Moss

Absent: Reps. Coulouris, Johnson, Valentine and Calley

Excused: Reps. Coulouris, Johnson, Valentine and Calley

Messages from the Senate**House Bill No. 4725, entitled**

A bill to amend 1982 PA 325, entitled "An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency," by amending sections 1, 2, 3, 4, 5, 8, 9, and 10 (MCL 801.51, 801.52, 801.53, 801.54, 801.55, 801.58, 801.59, and 801.60), sections 8 and 9 as amended by 1988 PA 399, and by adding section 1a.

The Senate has concurred in the House amendments to the Senate substitute (S-2).

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

House Bill No. 4591, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1538 and 1539 (MCL 380.1538 and 380.1539), section 1538 as added by 1988 PA 339 and section 1539 as amended by 2004 PA 76, and by adding sections 1531h and 1538a.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 92, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 12101, 12102, 12103, 12105, 12107, 12111, 12112, and 12113 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12107, 324.12111, 324.12112, and 324.12113), sections 12101 and 12102 as amended by 2001 PA 165,

sections 12103 and 12112 as amended by 2007 PA 75, and sections 12105 and 12107 as amended by 1998 PA 140, and by adding section 12102a.

The Senate has passed the bill.

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

Senate Bill No. 640, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r.

The Senate has passed the bill.

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

Senate Bill No. 752, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 237 (MCL 32.637).

The Senate has passed the bill.

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

Senate Bill No. 826, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 33 (MCL 445.1683).

The Senate has passed the bill.

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

Senate Bill No. 827, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2006 PA 594.

The Senate has passed the bill.

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

Senate Bill No. 828, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending the title and section 1a (MCL 445.1651a), section 1a as amended by 2002 PA 391.

The Senate has passed the bill.

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

Senate Bill No. 829, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 2b.

The Senate has passed the bill.

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

Senate Bill No. 830, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 8 (MCL 445.1658), as amended by 1996 PA 210.

The Senate has passed the bill.

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

Senate Bill No. 831, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 10 (MCL 445.1660), as amended by 1996 PA 210.

The Senate has passed the bill.

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

Senate Bill No. 832, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 22a (MCL 445.1672a), as added by 1996 PA 210, and by adding section 22b.

The Senate has passed the bill.

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

Senate Bill No. 833, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

The Senate has passed the bill.

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

Senate Bill No. 845, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 3d (MCL 205.93 and 205.93d), section 3 as amended by 2007 PA 103.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 20.

A concurrent resolution to urge the Michigan Office of Financial and Insurance Services to continue its participation in the states-based development of the Nationwide Mortgage Licensing System.

Whereas, The recent turmoil in housing markets and the mortgage industry across the country has prompted Michigan and the other states of the Union to work together to bring increased safeguards and accountability to this vitally important sector of our economy. Since 2004, well before public attention began focusing on problems with loans and foreclosures, the states have been working through the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators to create a Nationwide Mortgage Licensing System; and

Whereas, The states, with vast experience dealing with more than 300,000 mortgage professionals, are in the final stages of creating the Nationwide Mortgage Licensing System to give state regulators, citizens, and lenders greater tools to identify and isolate unscrupulous operations that prey upon consumers; and

Whereas, The Nationwide Mortgage Licensing System will take best advantage of the information state regulators already have at their disposal to ensure that license status and history are instantly available in a centralized database. In this manner, without the creation of a new bureaucracy, problem individuals and operations cannot evade detection. This system also brings greater consistency in forms and better use of technology, which will not only increase consumer protection, but foster efficiency throughout the industry; and

Whereas, The approach being taken through the Nationwide Mortgage Licensing System, which is scheduled to go into effect in January 2008, is clearly consistent with existing resources and expertise in the states. It will have a notable impact in enhancing the safety for families seeking mortgages and strengthening the industry's ability to respond to illegal or inappropriate activities; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Michigan Office of Financial and Insurance Services to continue its participation in the states-based development of the Nationwide Mortgage Licensing System and to expedite Michigan's involvement in this initiative to increase consumer protection, accountability, and efficiency within the mortgage industry; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of Financial and Insurance Services.

The Senate has adopted the concurrent resolution.

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

Second Reading of Bills**House Bill No. 5032, entitled**

A bill to amend 2006 PA 110, entitled "Michigan zoning enabling act," by amending sections 102, 103, 202, 208, 301, 401, 601, 604, 606, and 702 (MCL 125.3102, 125.3103, 125.3202, 125.3208, 125.3301, 125.3401, 125.3601, 125.3604, 125.3606, and 125.3702).

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

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 8, line 3, after “that” by striking out “**EXACT**”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Meadows moved to amend the bill as follows:

1. Amend page 5, line 14, after “notice” by striking out the balance of the line through “government” on line 15 and inserting “**OF THE HEARING IN A MANNER CONSISTENT WITH STATE LAW**”.

2. Amend page 13, line 5, after “by” by striking out “this section” and inserting “**SUBSECTION (7)**”.

3. Amend page 13, line 11, after “a” by striking out “newspaper of general circulation in” and inserting “**MANNER CONSISTENT WITH STATE LAW BY**”.

4. Amend page 13, line 16, after “under” by striking out “this section” and inserting “**SUBSECTION (7)**”.

5. Amend page 22, line 11, after “appeal” by inserting “under this section”.

6. Amend page 22, line 11, after the second “**A**” by striking out the balance of the line through “**TOWNSHIP**” on line 12.

7. Amend page 22, line 13, after “appeals” by striking out the balance of the subsection and inserting “**APPROVES THE MINUTES OF ITS DECISION. THE COURT MAY AFFIRM OR REVERSE THE DECISION OF THE ZONING BOARD OF APPEALS.**”.

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

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

The motion prevailed.

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 Appropriations be discharged from further consideration of **Senate Bill No. 511**.

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

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

Second Reading of Bills

Senate Bill No. 511, entitled

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

The bill was read a second time.

Rep. Cushingberry moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 511, entitled

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

The bill was read a third time.
The question being on the passage of the bill,

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

By unanimous consent the House returned to the order of
Reports of Standing Committees

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

House Bill No. 4532, entitled

A bill to prohibit employers from making employment decisions based upon certain conduct that is unrelated to employment; and to provide remedies.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Farrah, Hopgood, Lindberg, Steil and Rick Jones

Nays: Rep. Wenke

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

House Bill No. 4887, entitled

A bill to prohibit employers from making certain recruiting or hiring decisions based upon an individual's credit history; to prohibit employers from making certain inquiries; to prohibit certain waivers; to prohibit retaliation; and to provide remedies.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood and Lindberg

Nays: Reps. Wenke, Steil and Rick Jones

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

House Bill No. 4926, entitled

A bill to prohibit employers from making employment decisions based upon certain physical characteristics or fitness; to prohibit retaliation; and to provide remedies.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood and Lindberg

Nays: Reps. Wenke, Steil and Rick Jones

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

House Bill No. 4927, entitled

A bill to prohibit employers from making employment decisions based upon certain factors that are unrelated to employment; to prohibit certain inquiries; to prohibit retaliation; and to provide remedies.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood and Lindberg

Nays: Reps. Wenke, Steil and Rick Jones

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, November 6, 2007

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

Absent: Rep. Bieda

Excused: Rep. Bieda

Communications from State Officers

The following communication from the Department of Human Services was received and read:

November 1, 2007

MCL 400.713 of 1979 PA 218 and MCL 333.20162 of 1978 PA 368 require the Department of Human Services to prepare a License Issuance Summary Report for adult foster care facilities and homes for the aged facilities. Our report for Fiscal Year 2007 is attached.

The attached report contains the following information:

(a) The number of initial and renewal applications the department received and completed within the 6-month time period.

(b) The number of applications requiring a request for additional information.

(c) The number of applications rejected.

(d) The number of licenses not issued within the 6-month period.

(e) The average processing time for initial and renewal licenses granted after the 6-month period.

If you have any questions regarding this information, please contact James B. Gale, Director of the Bureau of Children and Adult Licensing, at (517) 241-5462.

Sincerely,
Ismael Ahmed

The communication was referred to the Clerk.

Introduction of Bills

Rep. Opsommer introduced

House Bill No. 5410, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8e, 9, and 10 (MCL 125.2688e, 125.2689, and 125.2690), section 8e as added by 2006 PA 270 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 Agriculture.

Rep. Dean introduced

House Joint Resolution EE, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 31 of article IV and by adding section 55 to article IV, to provide that certain state budget bills be presented to the governor on or before a certain date and to reduce compensation of state legislators when certain state budget bills are not presented on or before a certain date.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

The House returned to the consideration of

Senate Bill No. 511, entitled

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

(The bill was considered earlier today, see today's Journal, p. 2223.)

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. 518

Yeas—59

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

Nays—49

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

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

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

The motion prevailed.

The House agreed to the title as amended.

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

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

Notices

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. 5355**.

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. 794**.

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. 799**.

Rep. Tobocman

Rep. Wojno moved that the House adjourn.

The motion prevailed, the time being 3:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, November 7, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

