

No. 121
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Thursday, November 8, 2007.

12:00 Noon.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—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—excused
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—excused	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—excused
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. Bert Johnson, from the 5th District, offered the following invocation:

“Father, I ask You to grant this body the sensitivity to hear Your voice and the courage to follow its instruction. Speak into our hearts this day Father. I ask You to fortify us in Your mighty son Jesus’ name, Amen.”

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

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

Rep. Tobocman moved that House Committees be given leave to meet during the balance of today’s session.
The motion prevailed.

Motions and Resolutions

Rep. Tobocman moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.
The motion prevailed, 3/5 of the members present voting therefor.

Second Reading of Bills

House Bill No. 4163, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 12601 (MCL 333.12601), as amended by 1988 PA 315; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Commerce,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Clack moved to substitute (H-4) the bill.

The motion did not prevail and the substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Clack moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 7, line 6, after “**PENALTIES.**” by inserting “**THE DEPARTMENT SHALL DEVELOP AND PROVIDE, AT NO COST TO THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE, THE SIGNS REQUIRED UNDER THIS SUBSECTION.**”.

2. Amend page 17, line 13, after “**PENALTIES.**” by inserting “**THE DEPARTMENT SHALL DEVELOP AND PROVIDE, AT NO COST TO THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE, THE SIGNS REQUIRED UNDER THIS SUBSECTION.**”.

The question being on the adoption of the amendments offered by Rep. Huizenga,

Rep. Huizenga demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Huizenga,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 519**Yeas—51**

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

Nays—54

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

In The Chair: Sak

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 7, line 6, after “**PENALTIES.**” by inserting “**THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE SHALL HAVE AVAILABLE FOR DISTRIBUTION TO MEMBERS OF THE GENERAL PUBLIC WHO VISIT THE PUBLIC PLACE BROCHURES THAT EDUCATE THE GENERAL PUBLIC ABOUT THE DANGERS OF SECONDHAND SMOKE. THE DEPARTMENT SHALL DEVELOP AND PROVIDE, AT NO COST TO THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE, THE BROCHURES REQUIRED UNDER THIS SUBSECTION.**”.

2. Amend page 17, line 13, after “**PENALTIES.**” by inserting “**THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE SHALL HAVE AVAILABLE FOR DISTRIBUTION TO MEMBERS OF THE GENERAL PUBLIC WHO VISIT THE PUBLIC PLACE BROCHURES THAT EDUCATE THE GENERAL PUBLIC ABOUT THE DANGERS OF SECONDHAND SMOKE. THE DEPARTMENT SHALL DEVELOP AND PROVIDE, AT NO COST TO THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE, THE BROCHURES REQUIRED UNDER THIS SUBSECTION.**”.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Rick Jones moved to amend the bill as follows:

1. Amend page 4, following line 7, by inserting:

“(viii) A HOLDER OF AN ON-PREMISES LICENSE ISSUED UNDER THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303.

(ix) A FRATERNAL ORGANIZATION, PRIVATE CLUB, BANQUET FACILITY, OR OTHER ESTABLISHMENT NOT IN FACT OPEN TO THE PUBLIC.

(x) AN ORGANIZATION OF THE VETERANS OF FOREIGN WARS, THE AMERICAN LEGION, OR ANY OTHER WAR VETERANS’ ORGANIZATION.”.

2. Amend page 18, line 2, after **“12606A”** by inserting **“OR AN ESTABLISHMENT DESCRIBED IN SECTION 12601(1)(O)(viii), (ix), or (x).”.**

The question being on the adoption of the amendments offered by Rep. Rick Jones,

Rep. Rick Jones demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Rick Jones,

Rep. Tobocman moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Reps. Mayes and Melton moved to amend the bill as follows:

1. Amend page 4, following line 7, by inserting:

“(viii) A HOLDER OF AN ON-PREMISES LICENSE ISSUED UNDER THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303, IF THAT ESTABLISHMENT PROHIBITS ENTRY TO INDIVIDUALS WHO ARE UNDER THE AGE OF 21, OTHER THAN EMPLOYEES OF THE ESTABLISHMENT WHO ARE 18 YEARS OF AGE OR OLDER, DURING THE TIME THE ESTABLISHMENT IS OPEN FOR BUSINESS.

(ix) A HOLDER OF AN ON-PREMISES LICENSE ISSUED UNDER THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303, IF THAT ESTABLISHMENT MEETS BOTH OF THE FOLLOWING REQUIREMENTS:

(A) IT PROHIBITS ENTRY TO INDIVIDUALS, INCLUDING EMPLOYEES OF THE ESTABLISHMENT, WHO ARE UNDER THE AGE OF 18 DURING THE TIME THE ESTABLISHMENT IS OPEN FOR BUSINESS.

(B) AT LEAST 51% OF ITS TOTAL GROSS ANNUAL INCOME IS FROM THE ON-SITE SALE OF ALCOHOLIC LIQUOR.

(x) AN ORGANIZATION OF THE VETERANS OF FOREIGN WARS, THE AMERICAN LEGION, OR ANY OTHER WAR VETERANS’ ORGANIZATION IF THE ESTABLISHMENT OPERATED BY THAT ORGANIZATION PROHIBITS ENTRY TO INDIVIDUALS, INCLUDING EMPLOYEES OF THE ESTABLISHMENT, WHO ARE UNDER THE AGE OF 18 DURING THE TIME THE ESTABLISHMENT IS OPEN FOR BUSINESS.

(xi) A FRATERNAL ORGANIZATION, OR OTHER ESTABLISHMENT NOT IN FACT OPEN TO THE PUBLIC.”.

2. Amend page 18, line 22, after **“12606A”** by inserting **“OR AN ESTABLISHMENT DESCRIBED IN SECTION 12601(1)(O)(viii), (ix), (x), or (xi).”.**

The question being on the adoption of the amendments offered by Reps. Mayes and Melton,

Rep. Mayes demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Mayes and Melton,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 520

Yeas—52

Accavitti	Gaffney	Mayes	Rocca
Agema	Garfield	Meekhof	Sak
Booher	Hansen	Melton	Schuitmaker
Brandenburg	Hildenbrand	Meltzer	Scott
Calley	Hood	Moore	Shaffer
Casperson	Hoogendyk	Moss	Smith, Virgil
Caswell	Horn	Nitz	Spade

Caul	Hune	Nofs	Stahl
Cheeks	Jones, Rick	Palmer	Stakoe
DeRoche	Knollenberg	Pastor	Steil
Elsenheimer	LaJoy	Pearce	Walker
Espinoza	LeBlanc	Polidori	Ward
Farrah	Marleau	Robertson	Wenke

Nays—49

Acciavatti	Coulouris	Johnson	Opsommer
Angerer	Dean	Jones, Robert	Palsrok
Ball	Dillon	Lahti	Pavlov
Bauer	Donigan	Law, David	Proos
Bennett	Ebli	Law, Kathleen	Sheltrown
Bieda	Emmons	Leland	Simpson
Brown	Green	Lindberg	Smith, Alma
Byrnes	Hammel	McDowell	Tobocman
Byrum	Hammon	Meadows	Valentine
Clack	Hopgood	Meisner	Warren
Condino	Huizenga	Miller	Wojno
Constan	Jackson	Moolenaar	Young
Corriveau			

In The Chair: Sak

Rep. Walker moved to amend the bill as follows:

1. Amend page 4, following line 7, by inserting:

“(viii) A ROOM IN A HOTEL OR A BED AND BREAKFAST THAT IS CLEARLY DESIGNATED AS A SMOKING ROOM. AS USED IN THIS SUBPARAGRAPH, “HOTEL” MEANS THAT TERM AS DEFINED IN SECTION 1 OF 1913 PA 188, MCL 427.1, AND “BED AND BREAKFAST” MEANS THAT TERM AS DEFINED IN SECTION 4B OF THE STILLE-DEROSSETT-HALE SINGLE STATE CONSTRUCTION CODE ACT, 1972 PA 230, MCL 125.1504B.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Angerer moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Rep. Hildenbrand moved that Reps. LaJoy and Emmons be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House

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 bill was received from the Senate on November 6, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 7, see House Journal No. 119, p. 2220.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 521**Yeas—58**

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

Nays—47

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

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 4494, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on November 7, with an amendment, title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 120, p. 2239.)

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 522**Yeas—105**

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

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

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

Third Reading of Bills**House Bill No. 4557, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 438 (MCL 206.438), as added by 2004 PA 364.

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

Roll Call No. 523**Yeas—105**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	Pearce
Agema	Donigan	Law, David	Polidori
Amos	Ebli	Law, Kathleen	Proos
Angerer	Elsenheimer	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca

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

Nays—0

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 amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 435 and 438 (MCL 206.435 and 206.438), section 435 as added by 2007 PA 133 and section 438 as added by 2004 PA 364.

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.

Reps. Accavitti, Acciavatti, Agema, Amos, Angerer, Ball, Bauer, Bennett, Bieda, Booher, Brandenburg, Brown, Byrnes, Byrum, Calley, Casperson, Caswell, Caul, Clack, Clemente, Condino, Constan, Corriveau, Coulouris, Dean, Donigan, Ebli, Espinoza, Farrah, Gaffney, Garfield, Gonzales, Hammel, Hammon, Hansen, Hildenbrand, Hoogendyk, Hopgood, Horn, Huizenga, Hune, Jackson, Johnson, Rick Jones, Robert Jones, Knollenberg, Lahti, David Law, Kathleen Law, Leland, Lindberg, Marleau, Mayes, McDowell, Meadows, Meekhof, Melton, Meltzer, Moolenaar, Moore, Moss, Nitz, Nofs, Opsommer, Palmer, Palsrok, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Schuitmaker, Scott, Shaffer, Sheltrown, Simpson, Spade, Stahl, Stakoe, Tobocman, Valentine, Walker, Ward, Warren, Wenke, Wojno and Young were named co-sponsors of the bill.

Messages from the Governor

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

Executive Office, Lansing, November 8, 2007

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 4359**, the school aid budget for fiscal year 2008. However, I am returning it to you because of an 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.

In these extremely tight economic times, it is essential that we continue to invest in our top priority – the education of our children. Enrolled House Bill 4359 appropriates \$13.0 billion for fiscal year 2008 to support K-12 education in Michigan.

All districts will receive a foundation allowance increase of \$48 or more per pupil. In an effort to further close the funding gap, a foundation allowance formula has been instituted that provides the lowest-funded districts twice the increase of the highest-funded districts, or \$96 per pupil. Those districts with foundation allowances between the lowest and highest funded districts will receive an adjusted amount dependent upon how large the gap is between their foundation allowance and the maximum state foundation share of \$8,344 per pupil.

This budget also recognizes the financial struggles of districts with declining enrollment by maintaining \$20 million for declining enrollment assistance grants. These grants assist nearly 60% of our school districts.

The budget also provides for a modest increase in our state's preschool programs by increasing the per-child allotment for the Great Start school readiness program from \$3,300 to \$3,400 and providing small increases for the Early Childhood Investment Corporation and interagency early childhood preventative services grants.

I have vetoed section 77, which appropriates nearly \$1.3 million to subsidize student transportation costs for certain districts. During the implementation of Proposal A, all districts that were receiving separate transportation dollars had that funding rolled into their foundation allowance. Since that time, districts have received significant foundation allowance increases. Therefore, I am vetoing this proposed new subsidy.

I thank the Legislature for their work on behalf of Michigan's children.

Sincerely,
Jennifer M. Granholm
Governor

This bill was signed by the Governor November 8, 2007, at 3:23 p.m.

This bill was filed with the Secretary of State November 8, 2007, at 4:22 p.m. and assigned Public Act No. 137, I.E. The question being on the passage of the disapproved item, the objections of the Governor to the contrary notwithstanding,

Rep. Angerer moved that consideration of the bill be postponed for the day.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 5408, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201, 203, 235, 263, 417, and 601 (MCL 208.1201, 208.1203, 208.1235, 208.1263, 208.1417, and 208.1601), section 201 as amended by 2007 PA 90; and to repeal acts and parts of acts.

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. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young and Wenke

Nays: Reps. Meltzer and Pastor

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 8, 2007

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

Absent: Rep. Sheen

Excused: Rep. Sheen

Second Reading of Bills

House Bill No. 5408, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201, 203, 235, 263, 417, and 601 (MCL 208.1201, 208.1203, 208.1235, 208.1263, 208.1417, and 208.1601), section 201 as amended by 2007 PA 90; and to repeal acts and parts of acts.

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. Meltzer moved to amend the bill as follows:

1. Amend page 1, after "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by striking out the balance of the page through "section." on page 12, line 27.

2. Amend page 13, line 6, by striking out all of enacting section 2.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Coulouris 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

Third Reading of Bills

House Bill No. 5408, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201, 203, 235, 263, 417, and 601 (MCL 208.1201, 208.1203, 208.1235, 208.1263, 208.1417, and 208.1601), section 201 as amended by 2007 PA 90; and to repeal acts and parts of acts.

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

Roll Call No. 524

Yeas—58

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

Nays—47

Acciavatti	Garfield	Meekhof	Pearce
Agema	Green	Meltzer	Proos
Amos	Hansen	Moolenaar	Robertson
Ball	Hildenbrand	Moore	Schuitmaker
Booher	Hoogendyk	Moss	Shaffer

Brandenburg	Horn	Nitz	Stahl
Calley	Huizenga	Nofs	Stakoe
Casperson	Hune	Opsommer	Steil
Caswell	Jones, Rick	Palmer	Walker
Caul	Knollenberg	Palsrok	Ward
DeRoche	Law, David	Pastor	Wenke
Elsenheimer	Marleau	Pavlov	

In The Chair: Sak

Rep. Angerer moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Angerer moved that **House Bill No. 5408** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5408, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201, 203, 235, 263, 417, and 601 (MCL 208.1201, 208.1203, 208.1235, 208.1263, 208.1417, and 208.1601), section 201 as amended by 2007 PA 90; and to repeal acts and parts of acts.

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

Roll Call No. 525

Yeas—58

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

Nays—48

Acciavatti	Emmons	Marleau	Pavlov
Agema	Garfield	Meekhof	Pearce
Amos	Green	Meltzer	Proos
Ball	Hansen	Moolenaar	Robertson
Booher	Hildenbrand	Moore	Schuitmaker
Brandenburg	Hoogendyk	Moss	Shaffer
Calley	Horn	Nitz	Stahl
Casperson	Huizenga	Nofs	Stakoe
Caswell	Hune	Opsommer	Steil

Caul
DeRoche
Elsenheimer

Jones, Rick
Knollenberg
Law, David

Palmer
Palsrok
Pastor

Walker
Ward
Wenke

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 amend 2007 PA 36, entitled "Michigan business tax act," by amending the title and sections 265, 403, 447, 515, and 601 (MCL 208.1265, 208.1403, 208.1447, 208.1515, and 208.1601) and by adding chapter 2C; 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.

Reps. Palmer and Knollenberg, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I have voted no on this bill because while I support the repeal of the services tax, I cannot support a surcharge on the MBT. I believe that the bill should simply repeal the tax and the legislature should make up the difference through spending reductions, and structural reforms in both the budget and the operations of government, as we should have from the beginning of the year."

Reps. Caswell, Robertson, Nitz and Agema, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

NO VOTE on 5408

I voted no on this bill because there was clear support via 34 signatures for an amendment and the Speaker failed to recognize them."

Rep. Calley, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

While I supported portions of this bill, specifically the repeal of the service tax, the structure of the MBT changes were not in form that I could support. The surcharge method of taxation added an unnecessary step to an already complicated tax code. Additionally, the dollars required to accommodate the \$2,000,000 cap would be better spent providing tax credits for investments in Michigan and Personal Property Tax relief. Finally, this increase, along with all other forms of taxation, should include a sunset or rollback provision of the additional liability."

Rep. Moss, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted NO on HB 5408 because there was sufficient support for an amendment with 34 signatures and the Speaker refused to recognize them, which is against the Constitutional Rules of the House.

I opposed the Service tax, I voted no on it last September. I would be happy to eliminate it right now. However, I will not just take a bad tax burden off some businesses and load it onto someone else. We need to eliminate the Service Tax and pay for it by reform of government operations."

Rep. Shaffer, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

NO VOTE on 5408

I voted no on this bill because there was clear support via 34 signatures for an amendment and the Speaker failed to recognize them. I believe that this was contrary to the Joint Rules of the House."

Rep. Stahl, having reserved the right to explain his protest against the passage of the bill, made the following statement:
 “Mr. Speaker and members of the House:

I voted no on this bill because there was clear support via 34 signatures for an amendment and the Speaker failed to recognize them, this is a violation to the Constitution of the state of Michigan, not allowing the voices of many Michigan citizens to be heard, denying the democratic process of our republican government in Michigan.”

Rep. Meltzer, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

NO VOTE on 5408

I voted no on this bill because the presiding officer failed to recognize the request for record roll call on support of my amendment to repeal the service tax. The request for record roll call was supported in writing by 34 signatures, which exceeds the constitutional requirement of 22 members supporting a record roll call. This is a violation of Michigan’s Constitution pursuant to Article 4, Section 18.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that when the House adjourns today it stand adjourned until Tuesday, November 13, at 1:30 p.m. The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Thursday, November 8:

House Bill Nos.	5411	5412	5413	5414	5415	5416	5417	5418	5419	5420	5421	5422	5423	5424
	5425	5426	5427	5428										
House Joint Resolutions	FF	GG												
Senate Bill Nos.	884	885												

The Clerk announced that the following Senate bills had been received on Thursday, November 8:

Senate Bill Nos. 572 868 869

Reports of Standing Committees

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

House Bill No. 4559, entitled

A bill to provide tuition reimbursement for certain entrepreneurship courses; and to prescribe the powers and duties of certain state departments.

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

Nays: Rep. Meltzer

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

House Bill No. 4560, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 263 (MCL 18.1263), as amended by 2004 PA 589.

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, Byrum, Clemente, Coulouris, Dean, Johnson, Sheltroun, Simpson, Valentine and Huizenga

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

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

Senate Bill No. 757, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending sections 2 and 9 (MCL 207.552 and 207.559), section 2 as amended by 2007 PA 12 and section 9 as amended by 2006 PA 436.

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. Meisner, Robert Jones, Byrum, Clemente, Coulouris, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 7, 2007

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

Absent: Reps. Accavitti and Griffin

Excused: Reps. Accavitti and Griffin

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

House Bill No. 5085, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105 and 82114 (MCL 324.82105 and 324.82114), section 82105 as amended by 2005 PA 271 and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Stakoe, Horn and Agema

Nays: None

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: Thursday, November 8, 2007

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

The Committee on Transportation, by Rep. Hopgood, Chair, reported
Senate Bill No. 98, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2006 PA 178.

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. Hopgood, Accavitti, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported
Senate Bill No. 351, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 4 (MCL 252.304), as amended by 2006 PA 448.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, line 24, after "**ENACTED**" by striking out the balance of the subsection and inserting "**A ZONING ORDINANCE.**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Hopgood, Accavitti, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported
House Resolution No. 218.

A resolution to encourage the President and Congress of the United States to include Michigan transportation corridors in future funding of the U.S. Department of Transportation's Corridors of the Future Program.

(For text of resolution, see House Journal No. 112, p. 1823.)
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. Hopgood, Accavitti, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hopgood, Chair, of the Committee on Transportation, was received and read:
Meeting held on: Thursday, November 8, 2007
Present: Reps. Hopgood, Accavitti, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg
Absent: Reps. Griffin and Bieda
Excused: Reps. Griffin and Bieda

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Wednesday, November 7, 2007
Present: Reps. Mayes, Byrum, Brown, Kathleen Law, Leland, Sheltrown, Ball, Nitz, Meekhof and Agema
Absent: Rep. Angerer
Excused: Rep. Angerer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Virgil Smith, Chair, of the Committee on Insurance, was received and read:
Meeting held on: Thursday, November 8, 2007
Present: Reps. Virgil Smith, Farrah, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Hune, Emmons, Hildenbrand, David Law, Moore, Rocca and Gaffney
Absent: Reps. Condino and Wojno
Excused: Reps. Condino and Wojno

Messages from the Senate

House Bill No. 4506, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

The Senate has passed the bill 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.

House Bill No. 4507, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

The Senate has substituted (S-6) the bill.

The Senate has passed the bill as substituted (S-6) and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 302, 613a, 614a, 615a, 616a, 624g, 641, 644g, and 759a (MCL 168.302, 168.613a, 168.614a, 168.615a, 168.616a, 168.624g, 168.641, 168.644g, and 168.759a), section 302 as amended by 2005 PA 71, section 613a as amended by 2003 PA 13, sections 614a and 615a as amended by 1999 PA 72, section 616a as added by 1988 PA 275, section 624g as amended by 1990 PA 7, section 641 as amended by 2005 PA 71, section 644g as amended by 2004 PA 293, and section 759a as amended by 2006 PA 605, and by adding sections 19, 615c, 615d, 642c, and 759c; and to repeal acts and parts of acts.

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

Senate Bill No. 572, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as amended by 2004 PA 587.

The Senate has passed the bill.

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

Senate Bill No. 868, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

The Senate has passed the bill.

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

Senate Bill No. 869, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 715 and 719 (MCL 38.2665 and 38.2669), section 715 as amended by 1999 PA 215 and section 719 as added by 1996 PA 523.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 22.

A concurrent resolution to request the State Officers Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, the Secretary of State, and the Justices of the Supreme Court the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the change in the Consumer Price Index or the average increase in state employee pay.

Whereas, Our state's continuing economic struggles emphasize the need to make sacrifices for our future economic and fiscal health. All avenues to encourage that fiscal policies and decisions reflect this need for prudence must be pursued; and

Whereas, Article IV, Section 12 of the State Constitution of 1963 provides for the State Officers Compensation Commission. This commission determines the salaries and expense allowances of members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, the Secretary of State, and the Justices of the Supreme Court. Pursuant to state statutes amended to conform to 2002 changes in the constitutional provisions regarding the commission, the State Officers Compensation Commission will next meet in 2009; and

Whereas, It is important for all possible mechanisms to be put in place to avoid unnecessary spending. Reducing the salaries of the state's highest elected officers and restraining spending increases can help safeguard the public's interests at an important time in our state's history. Establishing a ceiling for the recommendations that the State Officers Compensation Commission can make, by making sure future recommendations cannot exceed changes in the Consumer Price Index or the average increase in state employee pay, is an appropriate and long-overdue step to take. These moves can enable other reforms in policy to take root; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we request the State Officers Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, the Secretary of State, and the Justices of the Supreme Court the next time the commission meets and urge the commission to ensure that none of its future recommendations exceed the change in the Consumer Price Index or the average increase in state employee pay; and be it further

Resolved, That copies of this resolution be transmitted to the State Officers Compensation Commission.

The Senate has adopted the concurrent resolution.

Reps. Agema, Ball, Bauer, Brandenburg, Brown, Byrnes, Byrum, Casperson, Caswell, Caul, Constan, Corriveau, Coulouris, Dean, Emmons, Espinoza, Garfield, Gonzales, Green, Hansen, Hildenbrand, Hoogendyk, Hopgood, Horn, Rick Jones, LaJoy, David Law, LeBlanc, Marleau, McDowell, Meekhof, Miller, Moolenaar, Moore, Moss, Nitz, Opsommer, Palsrok, Pearce, Polidori, Proos, Robertson, Rocca, Schuitmaker, Scott, Shaffer, Sheltroun, Simpson, Spade, Stahl, Tobocman, Valentine, Wojno, Bieda, Calley, Condino, Knollenberg and Angerer were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Oversight and Investigations.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **Senate Bill No. 838**.

Rep. Acciavatti

Messages from the Governor

Date: October 31, 2007

Time: 3:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4350 (Public Act No. 136, I.E.), being

An act to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(Filed with the Secretary of State November 8, 2007, at 4:20 p.m.)

Introduction of Bills

Rep. Hansen introduced

House Bill No. 5429, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 52706 (MCL 324.52706), as amended by 2006 PA 179.

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

Rep. Sak introduced

House Bill No. 5430, entitled

A bill to amend 1939 PA 178, entitled “An act to provide for the collection of water or sewage system rates, assessments, charges, or rentals; and to provide a lien for water or sewage system services furnished by municipalities as defined by this act,” by amending section 5 (MCL 123.165), as amended by 1981 PA 132.

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

Rep. Sak introduced

House Bill No. 5431, entitled

A bill to amend 2003 PA 238, entitled “Michigan notary public act,” by amending section 25 (MCL 55.285), as amended by 2006 PA 426.

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

Reps. Clemente, LeBlanc, Opsommer, Spade, Polidori, Espinoza, Griffin and Robert Jones introduced

House Bill No. 5432, entitled

A bill to amend 1998 PA 541, entitled "Corrections officer's survivor tuition act," by amending section 4 (MCL 390.1264).

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

Rep. Gaffney introduced

House Bill No. 5433, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," (MCL 554.131 to 554.139) by adding section 40.

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

Reps. Gaffney and Hune introduced

House Bill No. 5434, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3d (MCL 205.93d), as added by 2007 PA 93.

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

Reps. Opsommer, Nofs, Horn, Moolenaar, Booher, Palsrok, Hansen, Knollenberg and Huizenga introduced

House Bill No. 5435, 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. Nofs, Opsommer, Horn, Moolenaar, Booher, Palsrok, Hansen, Knollenberg and Huizenga introduced

House Bill No. 5436, 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 Energy and Technology.

Rep. Tobocman introduced

House Bill No. 5437, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7II.

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

Rep. Tobocman introduced

House Bill No. 5438, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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

Rep. Tobocman introduced

House Bill No. 5439, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding chapter 3B.

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

Reps. Emmons, Nitz, Calley, Palsrok, Scott, Shaffer, Amos, Walker, Sheen, Caul, Pastor, Brandenburg, Rick Jones, Steil, Caswell, Nofs, Stakoe, Lemmons, Donigan, Meadows, Acciavatti, Pavlov, Hoogendyk, Meekhof, Opsommer, Alma Smith, Dean, Espinoza, Pearce, Huizenga and Garfield introduced

House Bill No. 5440, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending section 2 (MCL 390.1472), as amended by 2004 PA 387.

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

Reps. Emmons, Nitz, Calley, Palsrok, Shaffer, Scott, Amos, Walker, Caul, Sheen, Pastor, Brandenburg, Steil, Rick Jones, Nofs, Caswell, Stakoe, Lemmons, Donigan, Meadows, Pavlov, Acciavatti, Hoogendyk, Meekhof, Opsommer, Alma Smith, Dean, Espinoza, Pearce, Huizenga and Garfield introduced

House Bill No. 5441, entitled

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 2 (MCL 390.1182), as amended by 2006 PA 444.

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

Reps. Dean, Tobocman, Lahti, Sheltroun, Simpson, Scott, Meadows, Miller, Alma Smith, Sak, LeBlanc, Clack, Hammel, Lemmons, Hammon, Byrum, Gonzales, Polidori, Corriveau, Constan, Wojno, Kathleen Law, Leland, Espinoza, Brown, Ebli, Hopgood, Bauer and Jackson introduced

House Bill No. 5442, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 21 (MCL 125.1421), as amended by 2000 PA 257.

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

Reps. Tobocman, Dean, Lahti, Sheltroun, Simpson, Scott, Meadows, Miller, Alma Smith, Sak, LeBlanc, Clack, Hammel, Lemmons, Hammon, Byrum, Gonzales, Polidori, Corriveau, Constan, Wojno, Kathleen Law, Leland, Espinoza, Clemente, Brown, Ebli, Hopgood, Bauer and Jackson introduced

House Bill No. 5443, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32a (MCL 125.1432a), as amended by 2004 PA 535.

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

Reps. Lahti, Tobocman, Sheltroun, Simpson, Scott, Meadows, Miller, Alma Smith, Sak, LeBlanc, Hammel, Lemmons, Byrum, Corriveau, Bauer, Hopgood, Dean, Hammon, Clack, Gonzales, Polidori, Constan, Wojno, Kathleen Law, Leland, Espinoza, Brown, Ebli and Jackson introduced

House Bill No. 5444, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 44 (MCL 125.1444), as amended by 2004 PA 549.

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

Reps. Simpson, Tobocman, Lahti, Sheltroun, Scott, Meadows, Miller, Alma Smith, Sak, LeBlanc, Hammel, Clack, Byrum, Corriveau, Lemmons, Constan, Espinoza, Brown, Ebli, Bauer, Hopgood, Dean, Hammon, Gonzales, Polidori, Wojno, Kathleen Law, Leland and Jackson introduced

House Bill No. 5445, 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 24f.

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

Reps. Scott, Tobocman, Lahti, Sheltroun, Simpson, Meadows, Miller, Alma Smith, Sak, LeBlanc, Hammel, Clack, Byrum, Lemmons, Espinoza, Bauer, Hopgood, Dean, Hammon, Gonzales, Polidori, Corriveau, Constan, Wojno, Kathleen Law, Leland, Brown, Ebli and Jackson introduced

House Bill No. 5446, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 32 (MCL 125.1432), as amended by 2004 PA 535.

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

Reps. Sheltroun, Tobocman, Lahti, Simpson, Scott, Meadows, Miller, Alma Smith, Sak, LeBlanc, Hammel, Clack, Byrum, Lemmons, Kathleen Law, Espinoza, Hopgood, Dean, Hammon, Gonzales, Polidori, Corriveau, Constan, Wojno, Leland, Clemente, Brown, Ebli, Bauer and Jackson introduced

House Bill No. 5447, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 1 (MCL 125.1401), as amended by 1998 PA 33.

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

Reps. Johnson, Melton, Young, Hammon, Griffin, Constan, Donigan, Clack, Hammel, Bauer, Leland, Dean and Cheeks introduced

House Bill No. 5448, entitled

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending section 25 (MCL 55.285), as amended by 2006 PA 426.

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

Reps. Johnson, Jackson, Constan, Cushingberry, Gonzales, Hammel, Virgil Smith, Hood, Lemmons, Garfield, Stahl and Cheeks introduced

House Bill No. 5449, entitled

A bill to amend 1980 PA 243, entitled "Emergency municipal loan act," by amending sections 4 and 5 (MCL 141.934 and 141.935), section 4 as amended by 2002 PA 405 and section 5 as amended by 1987 PA 282.

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

Rep. Bennett introduced

House Bill No. 5450, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 301, 3101, 3104, 3115a, 3122, 3124, 5521, 5522, 11130, 11135, 11153, 11507a, 11525, 11525a, 12103, 12109, 12112, 14301, 30104, 30109, 30112, 30306, 30316, 31509, 32312, 32510, 32511, 32513, 62509, and 62509a (MCL 324.301, 324.3101, 324.3104, 324.3115a, 324.3122, 324.3124, 324.5521, 324.5522, 324.11130, 324.11135, 324.11153, 324.11507a, 324.11525, 324.11525a, 324.12103, 324.12109, 324.12112, 324.14301, 324.30104, 324.30109, 324.30112, 324.30306, 324.30316, 324.31509, 324.32312, 324.32510, 324.32511, 324.32513, 324.62509, and 324.62509a), section 301 as amended by 2004 PA 587, section 3101 as amended by 2006 PA 97, section 3104 as amended by 2005 PA 33, sections 3122 and 3124 as added by 2004 PA 90, section 5521 as amended by 1998 PA 245, section 5522 as amended by 2005 PA 169, sections 11130, 11135, 12103, 12109, and 12112 as amended and section 11153 as added by 2001 PA 165, section 11507a as amended by 2004 PA 39, sections 11525 and 11525a as amended by 2003 PA 153, section 14301 as amended by 1998 PA 289, section 30104 as amended by 2006 PA 531, sections 30109 and 32513 as amended by 2003 PA 163, sections 30112, 30316, 32510, and 32511 as added by 1995 PA 59, section 30306 as amended by 2003 PA 14, sections 31509, 32312, and 62509 as amended by 2004 PA 325, and section 62509a as added by 1998 PA 467, and by adding part 50 and sections 14307 and 31509a.

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

Rep. Bennett introduced

House Bill No. 5451, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 102, 117, and 118 (MCL 560.102, 560.117, and 560.118), section 102 as amended by 1996 PA 591 and sections 117 and 118 as amended by 2004 PA 525.

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

Rep. Bennett introduced

House Bill No. 5452, entitled

A bill to amend 1978 PA 59, entitled "Condominium act," by amending section 71a (MCL 559.171a), as added by 1983 PA 113.

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

Reps. Hune, Virgil Smith and Gaffney introduced

House Bill No. 5453, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3104 and 3107 (MCL 500.3104 and 500.3107), section 3104 as amended by 2002 PA 662 and section 3107 as amended by 1991 PA 191.

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

Reps. Sak, Bennett, Miller, Hammel, LeBlanc, Young, Byrnes, Simpson, Cushingberry, Kathleen Law, Hammon, Bauer, Lindberg, Corriveau, Lemmons, McDowell, Ebli, Virgil Smith, Dean, Melton, Byrum, Clack, Meadows, Cheeks, Gillard, Alma Smith and Scott introduced

House Bill No. 5454, entitled

A bill to amend 2007 PA 106, entitled "Public employees health benefit act," by amending sections 5 and 15 (MCL 124.75 and 124.85).

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

Rep. Warren moved that the House adjourn.

The motion prevailed, the time being 10:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, November 13, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives