

No. 69
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House of Representatives
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House Chamber, Lansing, Tuesday, July 17, 2007.

10:00 a.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—excused	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—excused	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—excused	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—excused	Mayes—present	Sheen—present
Brandenburg—excused	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—excused	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—excused	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—excused	Jones, Rick—present	Pastor—present	Wojno—present
Dean—excused	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. John Proos, from the 79th District, offered the following invocation:

“Heavenly Father, We stand before You today with the faith and the knowledge that without Your blessings we would not have been given the many wondrous gifts that You have bestowed on each of us. For this and the many other blessings, known and unknown, we say thank You and ask Your continued blessings on this House and those who have been called to serve.

Father, we come before You with humble hearts asking for Your forgiveness. Too often we forget Your most precious word when we fail to love You with our whole heart, mind and soul. Worse yet, we have forgotten that we are called, by Your precious word to love one another as You love us.

Your messenger John stated in I John verse 11: ‘This is the message you heard from the beginning: We should love each other.’

Heavenly Father, we ask Your intervention so that we may be provided the strength and wisdom to love each other as You love us.

Please keep this House, its representatives, staff and visitors in Your care and we ask, in a special way Father, Your blessings and care for the men, women and families of our armed forces throughout the world today that they may be kept in Your special care during these challenging times in our world.

Finally we remember, Father and ask for Your blessings on our Colleague Rep. Tom Meyer who passed away last week. Further, we ask for Your care and loving comfort to the family of former Rep. Larry Julian whose son Loren recently passed away. Give them Your peace and Your comfort and welcome these family members into Your care.

In Your name we pray, Amen.”

Rep. Booher moved that Reps. Brandenburg and Horn be excused from today’s session.
The motion prevailed.

Rep. Tobocman moved that Reps. Accavitti, Cushingberry, Gillard, Kathleen Law, Dean, Ebli and Meadows 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.

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 28.

A concurrent resolution to urge the United States Department of Homeland Security to continue to work with the states to coordinate driver’s licenses with the new passport requirements to reenter the country from Canada.

(For text of concurrent resolution, see House Journal No. 60, p. 904.)

(The concurrent resolution was reported by the Committee on New Economy and Quality of Life on June 28, with substitute (H-1), consideration of which, under the rules, was postponed until July 10.)

(For substitute, see House Journal No. 67, p. 1035.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,
The substitute (H-1) was adopted, a majority of the members present voting therefor.

Rep. Agema moved to substitute (H-3) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 28.

A concurrent resolution to urge the United States Department of Homeland Security to continue to work with the states to coordinate driver’s licenses with the new passport requirements to reenter the country from Canada.

Whereas, The state of Michigan denounces and condemns all acts of terrorism by any entity, wherever the acts occur; and

Whereas, Under the Intelligence Reform and Terrorism Prevention Act of 2004, by January 1, 2008, millions of Americans may be required to show passports when they reenter this country from Canada. This provision, known as the Western Hemisphere Travel Initiative (WHTI), is intended to make it more difficult for terrorists to enter the United States. Currently, Americans only need to show a driver's license or a birth certificate when they reenter from Canada; and

Whereas, The Canada-United States border is the most important international economic development relationship in the country and an integral part of Michigan's economic growth. More than 300,000 business people, truck drivers, tourists, and regular commuters, and \$1.1 billion in goods on average travel daily between the two nations; and

Whereas, The requirements of WHTI unduly burden Michigan citizens and businesses, as they will be forced to absorb the cost of acquiring two legal documents to cross the Canada-United States border; and

Whereas, The Michigan Secretary of State has proposed the exploration, on a pilot basis, of the feasibility of developing, in cooperation with the Department of Homeland Security, a state-issued driver's license that is an acceptable document for WHTI; and

Whereas, This dual-purpose driver's license identification card proposal has the following stated objectives: recognize the need for secure borders by making it tougher for terrorists to enter the country; provide a convenient service and additional benefits to American citizens; honor the intent of the laws of the state of Michigan protecting the security and privacy of our citizens and meeting the objectives of WHTI without subjecting citizens to multiple layers of governmental bureaucracy; and enact technological and legal barriers to prevent third parties from accessing and sharing information on the physical document and the machine-readable component; and

Whereas, Prior to the enactment of a pilot program, the privacy and security concerns of linking an enhanced driver's license with a passport to meet the requirements of WHTI should be set forth in a study conducted by the Michigan Secretary of State; and

Whereas, It is essential that any machine-readable component of the dual-purpose driver's license identification card be limited to a number for verification purposes; that citizenship information be accessible only by border agents, not by local law enforcement or highway patrol; and that citizenship may not be printed on the identification card or contained in the machine-readable component; and

Whereas, Any new security measures of federal, state, and local governments must be carefully designed and employed to enhance public safety without infringing on the civil liberties and rights of innocent citizens of Michigan and the United States; and

Whereas, The dual-purpose driver's license identification card must not be used to establish a national driver's license and identification card. The Department of Homeland Security should not needlessly share border crossing information with any other local, state, or federal government agency and should limit information sharing to specific persons under investigation for specific actions, as opposed to being based on some racial or ethnic profile; and

Whereas, It is also important that Michigan residents have the option of applying or not applying for the dual-purpose driver's license identification card. The pilot program should recognize and maintain that participation is voluntary; and

Whereas, Any pilot program developed as a result of the feasibility study should include a provision after which the program can be assessed for its impact and effectiveness; and

Whereas, Any pilot or permanent program developed must also ensure that illegal aliens cannot procure driver's licenses; and

Whereas, The state of Washington has put in place a system that utilizes what is called an "enhanced license." Clearly, there is a strong need to develop an effective and realistic mechanism that recognizes the daily travel between certain states and Canada; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Department of Homeland Security to continue to work with the states to coordinate driver's licenses with the new passport requirements to reenter the country from Canada; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States; the United States Secretary of State; the United States Secretary of the Department of Homeland Security; the President of the United States Senate; the Speaker of the United States House of Representatives; the chairs and ranking members of the United States Senate Foreign Relations Committee, the United States Senate Homeland Security and Governmental Affairs Committee, the United States House Homeland Security Committee, and the United States House International Relations Committee; and the members of the Michigan congressional delegation.

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

Senate Concurrent Resolution No. 12.

A concurrent resolution to urge Michigan's congressional delegation to secure supplemental funding to control the spread of viral hemorrhagic septicemia in fish populations.

(For text of concurrent resolution, see House Journal No. 56, p. 857.)

(The concurrent resolution was reported by the Committee on Tourism, Outdoor Recreation and Natural Resources on June 26, consideration of which, under the rules, was postponed until June 27.)

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

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

By unanimous consent the House considered **House Resolution No. 153** out of numerical order.

Rep. Tobocman offered the following resolution:

House Resolution No. 153.

A resolution to amend the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That Rule 33 of the Standing Rules of the House of Representatives be amended to read as follows:

“Names and Number of Members.

Rule 33. (1) All standing committees shall be appointed by the Speaker, except where the House shall otherwise order.

(2) The standing committees of the House and the number of Members shall be as follows:

- (a) Agriculture (11)
- (b) Appropriations (30)
- (c) Banking and Financial Services (9)
- (d) Commerce (19)
- (e) Education (23)
- (f) Energy and Technology (19)
- (g) Ethics and Elections (8)
- (h) Families and Children's Services (9)
- (i) Government Operations (9)
- (j) Great Lakes and Environment (15)
- (k) Health Policy (18)
- (l) Insurance (17)
- (m) Intergovernmental, Urban and Regional Affairs (11)
- (n) Judiciary (15)
- (o) Labor (11)
- (p) Military and Veterans Affairs and Homeland Security (9)
- (q) New Economy and Quality of Life (11)
- (r) Oversight and Investigations (5)
- (s) Regulatory Reform (9)
- (T) RETIREE HEALTH CARE REFORMS (7)**
- (U) (↔) Senior Health, Security, and Retirement (9)**
- (V) (↔) Tax Policy (17)**
- (W) (↔) Tourism, Outdoor Recreation and Natural Resources (11)**
- (X) (↔) Transportation (17)**

(3) Statutory Standing Committees:

- (a) Administrative Rules (5)
- (b) House Fiscal Agency (6)
- (c) Legislative Council (6)
- (d) Legislative Retirement (4)
- (e) Michigan Capitol Committee (4)

(4) The House Journal shall report the roll call on all motions to report bills, resolutions and reorganization orders. (See Const 1963, Art 4 § 17)

(5) Committees shall adopt a meeting schedule at the commencement of each term which shall be printed in the House Journal. Additional meetings may be called by the Chair or by a majority of the Members in writing to the Clerk. The Chair may cancel any scheduled meeting, except one called by a majority of the Members, by notice to the Members.”

Pending the reference of the resolution to a committee,
Rep. Tobocman moved that Rules 69 and 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 151.

A resolution offered as a memorial for Tom Meyer, former member of the House of Representatives.

Whereas, The members and staff of this legislative body were shocked and saddened to learn of the untimely passing of our friend and former colleague, Tom Meyer. As a member of the Michigan House of Representatives from 2001 to 2006, this highly respected gentleman made many friends at the Capitol and gained widespread admiration for his commitment to the Thumb region and his beloved home state; and

Whereas, A native of Zeeland and graduate of Grand Rapids Central High School, Tom Meyer distinguished himself professionally in radio, with four decades of experience in communications as a station manager. This background blended well with his involvement in community groups and public service efforts in the Bad Axe-Huron County area. His unselfishness was evident in his longtime involvement with the Michigan Special Olympics, high school athletics, his church, the Huron County Michigan State University Extension Council, and many other groups; and

Whereas, In his three terms in the House, Representative Meyer earned the respect of members on both sides of the aisle with his unyielding commitment to his district and the entire state. His service included his leadership as chair of the House Agriculture and Resource Management Committee for the Ninety-second Legislature. He also played a key role in fostering trust and collegiality among members and staff through his engaging sense of humor. Clearly, we will long remember his golden voice and quick smile; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of our friend and former colleague Tom Meyer, who served as a member of this legislative body from 2001 to 2006; and be it further

Resolved, That copies of this resolution be transmitted to the Meyer family as evidence of our heartfelt condolences.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Second Reading of Bills

House Bill No. 4265, entitled

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending section 5c (MCL 432.105c), as amended by 2006 PA 427.

The bill was read a second time.

Rep. Farrah moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Senate Bill No. 450, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 601, 602, 604, 605, 2405, 2411, and 2412 (MCL 339.601, 339.602, 339.604, 339.605, 339.2405, 339.2411, and 339.2412), sections 601 and 602 as amended by 2005 PA 278, section 604 as amended by 1989 PA 261, and sections 2411 and 2412 as amended by 2001 PA 113, and by adding sections 606 and 2404a.

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

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

Rep. Meisner moved to amend the bill as follows:

1. Amend page 17, following line 3, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 2008."

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

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

The motion prevailed.

Senate Bill No. 451, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142, and by adding section 2975a.

The bill was read a second time.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 4, following line 5, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 2008."

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

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

The motion prevailed.

Senate Bill No. 452, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 601, 602, 605, 2402, 2404, 2405, and 2411 (MCL 339.601, 339.602, 339.605, 339.2402, 339.2404, 339.2405, and 339.2411), sections 601 and 602 as amended by 2005 PA 278, section 2404 as amended by 1988 PA 463, and section 2411 as amended by 2001 PA 113, and by adding sections 2404b and 2411a.

The bill was read a second time.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 22, following line 18, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 2008."

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

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

The motion prevailed.

Senate Bill No. 453, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 39 (MCL 338.2239), as amended by 2003 PA 87.

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

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

Rep. Meisner moved to amend the bill as follows:

1. Amend page 3, following line 20, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 2008."

The motion prevailed and the amendment 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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Wednesday, July 18, at 10:00 a.m.

The motion prevailed.

Reps. Cushingberry, Bauer, Bieda, Byrnes, Clack, Condino, Constan, Gonzales, Hammel, Hammon, Hopgood, Johnson, Robert Jones, LeBlanc, Leland, Lemmons, Melton, Miller, Polidori, Sak, Alma Smith, Tobocman, Vagnozzi Warren and Stahl offered the following resolution:

House Resolution No. 152.

A resolution to memorialize Congress to provide funding for the partnership program of the United States Census Bureau.

Whereas, Established in our federal constitution at the founding of our nation, the decennial census has been a central component of our democracy throughout our history. Although best known as the foundation for congressional

apportionment and the distribution of resources, the national census is essential to making sure all Americans are represented fully and accurately; and

Whereas, The 2000 census made much-needed strides in the challenge of counting all our people. Racial minorities in particular were more accurately tabulated than ever before. The key to this breakthrough was the network of partnerships that was established prior to 2000. Partnerships were created between the United States Census Bureau and thousands of organizations, including churches; state, local, and tribal governments; corporations; and community groups. In all, 140,000 partnerships were established prior to the census; and

Whereas, In an effort to build upon the success of the 2000 census, the United States Census Bureau has requested appropriations to revive the partnership program in preparation for the 2010 census. Without the partnerships, the likelihood of serious undercounts, especially within our minority communities, is virtually certain for 2010; and

Whereas, In its budget proposal, the White House has allocated nothing for the partnership program for the census. Clearly, as the federal budget process proceeds, the impact of the partnership program as a vital element of a successful census must be acknowledged. To ignore the vital importance of an accurate counting of our people is to ignore one of our democracy's most effective and fundamental tools; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to provide funding for the partnership program of the United States Census Bureau as a vital step in the process of procuring an accurate count in the 2010 national census; and be it further

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

The resolution was referred to the Committee on Appropriations.

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 Tuesday, July 10:

**House Bill Nos. 5004 5005 5006 5007 5008 5009 5010 5011 5012 5013 5014 5015 5016 5017
5018 5019 5020 5021 5022 5023 5024 5025 5026 5027**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, July 17:

Senate Bill Nos. 633 634 635 636 637 638

Reports of Standing Committees

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

House Bill No. 4965, entitled

A bill to authorize the state administrative board to convey certain interests in property in Kalkaska county; and to provide for disposition of the revenue derived from the conveyance.

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. Sheltroun, Brown, Hammon, Lindberg, Simpson, Casperson, Walker and Stakoe

Nays: None

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

House Resolution No. 129.

A resolution to memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan.

(For text of resolution, see House Journal No. 57, p. 862.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 129.

A resolution to memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan.

Whereas, Recreational boating is a popular activity and a key component of Michigan's and the other Great Lakes states' tourism industry. In Michigan alone, recreational boating on the Great Lakes contributes nearly \$3 billion annually and more than 20,000 jobs to the state's economy; and

Whereas, Regular dredging is needed to keep recreational harbors open to boaters in Michigan and the other Great Lakes states. Natural shoaling exacerbated by continued low lake levels has left many recreational harbors too shallow for boaters to enter safely, jeopardizing local communities and businesses that depend on these boaters; and

Whereas, The federal budget did not include any money for dredging recreational harbors maintained in the past by the United States Army Corp of Engineers. This lack of funding would cripple the Great Lakes recreational boating industry, impacting millions of boaters and the businesses and communities they support. The relatively small federal investment needed to maintain these harbors is insignificant compared to the billions of dollars and thousands of jobs generated; and

Whereas, The federal Water Resources Development Act of 2007 would allocate resources and address the dredging problem in the Great Lakes. This investment in Great Lakes dredging is a worthy use of federal funds and should be retained in the final legislation presented to the President of the United States; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide funding to the United States Army Corps of Engineers for dredging recreational harbors in Michigan; and be it further

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

The resolution and substitute were laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltrown, Brown, Hammon, Lindberg, Simpson, Casperson, Walker and Stakoe

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 17, 2007

Present: Reps. Sheltrown, Brown, Hammon, Lindberg, Simpson, Casperson, Walker and Stakoe

Absent: Reps. Ebli, Kathleen Law and Horn

Excused: Reps. Ebli, Kathleen Law and Horn

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 17, 2007

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

Absent: Rep. Meadows

Excused: Rep. Meadows

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 17, 2007

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

Messages from the Governor

Date: July 10, 2007

Time: 7:50 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4851 (Public Act No. 34, I.E.), being

An act to amend 1975 PA 222, entitled “An act to establish the Michigan higher education student loan authority for the purpose of providing loans to eligible students and to parents of students; to prescribe its powers and duties; to authorize the authority to borrow money and issue bonds which are subject to or exempt from federal income taxation and to provide for the disposition of those funds; to exempt the bonds from taxation; to authorize the authority to acquire loans made to eligible students or to parents of students; and to authorize persons, corporations, and associations to make gifts to the authority,” by amending section 4 (MCL 390.1154), as amended by 1989 PA 127.

(Filed with the Secretary of State July 11, 2007, at 1:08 p.m.)

Date: July 10, 2007

Time: 7:52 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4177 (Public Act No. 35, I.E.), being

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending sections 2118 and 2120 (MCL 500.2118 and 500.2120), section 2118 as amended by 2002 PA 492 and section 2120 as amended by 1984 PA 350, and by adding section 2116a.

(Filed with the Secretary of State July 11, 2007, at 1:10 p.m.)

Date: July 12, 2007

Time: 2:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4369 (Public Act No. 37, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to

provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1211 (MCL 380.1211), as amended by 2006 PA 648.

(Filed with the Secretary of State July 12, 2007, at 3:24 p.m.)

Date: July 12, 2007

Time: 2:37 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4370 (Public Act No. 38, I.E.), being

An act to amend 1993 PA 331, entitled "An act to provide for the levy and collection of a state education tax; to provide for the distribution of the tax; and to prescribe the duties of certain local officials and state officers," by amending section 3 (MCL 211.903), as amended by 2002 PA 244.

(Filed with the Secretary of State July 12, 2007, at 3:26 p.m.)

Date: July 12, 2007

Time: 2:39 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4371 (Public Act No. 39, I.E.), being

An act 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 14 and 14a (MCL 207.564 and 207.564a), section 14 as amended by 1996 PA 1 and section 14a as amended by 1994 PA 266.

(Filed with the Secretary of State July 12, 2007, at 3:28 p.m.)

Date: July 12, 2007

Time: 2:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4372 (Public Act No. 40, I.E.), being

An act to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," (MCL 211.1 to 211.157) by adding section 9k.

(Filed with the Secretary of State July 12, 2007, at 3:30 p.m.)

Date: July 12, 2007
Time: 2:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4493 (Public Act No. 41, I.E.), being

An act to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State July 12, 2007, at 3:32 p.m.)

Date: July 12, 2007
Time: 2:46 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4595 (Public Act No. 42, I.E.), being

An act to amend 2006 PA 479, entitled “An act to provide for the administration of the Michigan promise grant program; to provide for the powers and duties of certain state officers and entities; and to repeal acts and parts of acts,” by amending sections 2, 4, and 8 (MCL 390.1622, 390.1624, and 390.1628).

(Filed with the Secretary of State July 13, 2007, at 11:40 a.m.)

By unanimous consent the House returned to the order of

Notices

Pursuant to Rule 41, the Speaker has made the following reassignments:

House Bill No. 5008 referred to the Committee on Commerce.

House Bill No. 5009 referred to the Committee on Commerce.

House Bill No. 5010 referred to the Committee on Commerce.

House Bill No. 5011 referred to the Committee on Commerce.

House Bill No. 5012 referred to the Committee on Commerce.

House Bill No. 5013 referred to the Committee on Commerce.

House Bill No. 5014 referred to the Committee on Commerce.

House Bill No. 5015 referred to the Committee on Commerce.

House Bill No. 5016 referred to the Committee on Commerce.

House Bill No. 5017 referred to the Committee on Commerce.

House Bill No. 5018 referred to the Committee on Commerce.

House Bill No. 5019 referred to the Committee on Commerce.

House Bill No. 5020 referred to the Committee on Commerce.

House Bill No. 5022 referred to the Committee on Commerce.

House Bill No. 5023 referred to the Committee on Commerce.

House Bill No. 5024 referred to the Committee on Commerce.

Communications from State Officers

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

June 28, 2007

This letter transmits the “Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government – Legal Basis” for fiscal year 2006, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2006 is 58.54%, which is \$2.6 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant’s review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Robert L. Emerson
State Budget Director

The communication was referred to the Clerk.

The following communication from the Department of Environmental Quality was received and read:

July 1, 2007

I am pleased to present the Department of Environmental Quality's (DEQ's) status report on the implementation of the Great Lakes Water Quality Bond. This report is being submitted to the Legislature in accordance with Section 501 of Public Act 343 of 2006, the Fiscal Year 2007 Appropriation Bill for the DEQ.

The report summarizes recent activities in two programs, the State Revolving Fund (SRF) and the Surface Water Quality Initiatives Fund (SWQIF), which provide low interest rate loans to municipalities for water quality improvement projects.

I trust the members of the House of Representatives will find this report informative. If you have comments or questions about this report, please contact Ms. Amy A. Butler, Chief, Environmental Science and Services Division, at 517-241-0490, or you may contact me.

Sincerely,
Steven E. Chester
Director
517-373-7917

The communication was referred to the Clerk.

The following communications from the Department of Human Services were received and read:

July 9, 2007

Section 273(3) of 2006 Public Act No. 345 requires the Department of Human Services to report the annual regulatory plan submitted to the State Office of Administrative Hearings and Rules pursuant to section 53 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.253. Our report is attached.

If you have any questions about the attached material, please contact Luttrell Levingston, regulatory affairs officer for DHS at 373-2082.

July 9, 2007

Section 902(3) of 2006 Public Act No. 345 requires the Department of Human Services (DHS) to submit quarterly reports to the Legislature on expenditures and improvements made as a result of this section of the appropriations act.

Please accept this letter as the DHS's first quarterly report for fiscal year 2007. A total of \$2,300,000 of Michigan Arrearage Collection Special Project funding was carried forward, as an authorized work project, into fiscal year 2007 to continue Michigan Child Support Enforcement System (MiCSES) improvements. In the first quarter of FY2007, \$500,000 of these funds was spent on improvements to MiCSES. The improvements included the following:

1. New financial detail reports for custodial and non-custodial parents.
2. Required changes to federal reports related to paternity establishment and medical support.
3. Improvements to income withholding processes.
4. Purge and archival of aged/inactive data to reduce data storage requirements and associated costs.

With regard to improving child support collections, DHS is developing a pilot project with Public Consulting Group (PCG). This project will be operated in one county initially and will focus on cases that have not received a payment in over 90 days. These cases will be referred to PCG for collection activities. Payments to PCG will be based on the amount of increase in TANF recoveries generated through this pilot. Once the pilot is completed, an evaluation of the project will determine what changes, if any, are necessary and if the project should be expanded.

If you have any questions, please contact John Sorbet, chief administrative officer, DHS, at (517) 373-7787.

July 9, 2007

Section 902(3) of 2006 Public Act No. 345 requires the Department of Human Services (DHS) to submit quarterly reports to the Legislature on expenditures and improvements made as a result of this section of the appropriations act.

Please accept this letter as the DHS's second quarterly report for fiscal year 2007. A total of \$2,300,000 of Michigan Arrearage Collection Special Project funding was carried forward, as an authorized work project, into fiscal year 2007 to continue Michigan Child Support Enforcement System (MiCSES) improvements. In the second quarter of FY2007, \$1,800,000 of these funds was spent on improvements to MiCSES. The improvements included the following:

1. Improvements to interstate case processing.
2. Implementation of user friendly and additional automated document generation capabilities.
3. Various automated case management and case processing improvements.
4. Customized caseload reassignment by judge.
5. Additional modifications to federal reports.
6. Improvements to the child support interface with LEIN.
7. Various improvements to automating MiCSES nightly batch processing.

8. Various modifications to financial processes, calculations and reports.
9. Modifications to the tracking and reporting of family violence disclosure indicators.

To improve child support collections, DHS continues to work on project details with Public Consulting Group (PCG) and the Friend of the Court to finalize the pilot project. This project will be operated in one county initially and will focus on cases that have not received a payment in over 90 days. These cases will be referred to PCG for collection activities. Payments to PCG will be based on the amount of increase in TANF recoveries generated through this pilot. Once the pilot is completed, an evaluation of the project will determine what changes, if any, are necessary and if the project should be expanded.

If you have any questions, please contact John Sorbet, chief administrative officer, DHS, at (517) 373-7787.

Sincerely,
Marianne Udow

July 10, 2007

Michigan Department of Human Services announces availability of Fiscal Year 2008 Community Services Block Grant (CSBG) State Plan, Low Income Home Energy Assistance Program (LIHEAP) State Plan, and the Title XX Social Services Block Grant (SSBG) State Plan.

In accordance with federal requirements, the LIHEAP state plan and Title XX report will be available for review and comment at local Department of Human Services offices throughout the state beginning July 12, 2007. The CSBG plan will be available for review at community action agency offices throughout Michigan.

Public hearings will be held on the state plans:

July 17, 2007 from 10 a.m. - Noon at Grand Tower, 235 S. Grand Avenue, Dempsey Room, Lansing, Michigan.

July 18, 2007 from 10 a.m. - Noon at Cadillac Place, Conference Room L150, 3040 W. Grand Blvd., Detroit, Michigan.

Comments on the state plans will be received from July 12-31, 2007. Written comments may be submitted to Marianne Udow, Director, Michigan Department of Human Services, P.O. Box 30037, Lansing, MI 48909.

Attached please find the 2008 LIHEAP Proposed State Plan. We respectfully request that you distribute it to your members.

Sincerely,
Joan B. Lamoreaux
Energy and Emergency Services
Michigan Department of Human Services
235 S. Grand, Suite 1314
PO Box 30037
Lansing, MI 48909
(517) 373-0864
(517) 335-4801 fax
lamoreauxj@michigan.gov

The communications were referred to the Clerk.

The following communication from the Auditor General was received and read:

July 11, 2007

Enclosed is a copy of the following audit report and/or report summary:
Financial audit of the Michigan Broadband Development Authority (MBDA)
(A Component Unit of the State of Michigan),
for the period October 1, 2005 through September 30, 2006

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

Introduction of Bills

Rep. Opsommer introduced
House Bill No. 5028, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 3 (MCL 125.2683), as amended by 2006 PA 304.

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

Announcements by the Clerk

June 21, 2007

Received from the Municipal Employees' Retirement System of Michigan the *Comprehensive Annual Financial Report for the Year Ending December 31, 2006*, pursuant to the requirements of the *MERS Plan Document* and MCL38.1536(2)(f), which is available on their website at: www.mersofmich.com.

Richard J. Brown
Clerk of the House

Rep. Hansen moved that the House adjourn.
The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, July 18, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives