

**No. 61**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Thursday, June 14, 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—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—present       | Mayes—present         | Sheen—e/d/s           |
| Brandenburg—present  | Gonzales—present      | McDowell—present      | Sheltrown—present     |
| Brown—present        | Green—present         | Meadows—present       | Simpson—present       |
| Byrnes—present       | Griffin—present       | Meekhof—present       | Smith, Alma—present   |
| Byrum—present        | Hammel—present        | Meisner—excused       | Smith, Virgil—present |
| Calley—present       | Hammon—present        | Melton—present        | Spade—present         |
| Casperson—present    | Hansen—present        | Meltzer—present       | Stahl—present         |
| Caswell—present      | Hildenbrand—present   | Miller—present        | Stakoe—present        |
| Caul—present         | Hood—present          | Moolenaar—present     | Steil—present         |
| Cheeks—present       | Hoogendyk—present     | Moore—present         | Tobocman—present      |
| Clack—present        | Hopgood—present       | Moss—present          | Vagnozzi—present      |
| Clemente—present     | Horn—present          | Nitz—present          | Valentine—present     |
| Condino—present      | Huizenga—present      | Nofs—present          | Walker—present        |
| Constan—present      | Hune—present          | Opsommer—present      | Ward—present          |
| Corriveau—present    | Jackson—present       | Palmer—present        | Warren—present        |
| Coulouris—present    | Johnson—present       | Palsrok—present       | Wenke—present         |
| Cushingberry—excused | 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. Fred Miller, from the 31st District, offered the following invocation:

“For today’s invocation, I have selected a prayer written by Samuel Johnson on April 3, 1753, which was the day he began work on the second volume of the first complete dictionary of the English language. He was praying for himself and this was passed along as a prayer for writers, but it might just as well be a prayer for legislators.

O God, who was hitherto supported us, enable us to proceed in this labor, and in the whole task of our present state; and when we shall render up, at the last day, an account of the talent committed to us, may we receive pardon. In the name of Jesus Christ. Amen.”

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Rep. Tobocman moved that Reps. Kathleen Law and Meisner be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

**House Resolution No. 53.**

A resolution to memorialize the Congress of the United States to enact legislation to increase funding for veterans health programs and to reform budget practices to assure that veterans health care needs are addressed by direct rather than discretionary funding.

(For text of resolution, see House Journal No. 29, p. 369.)

(The resolution was reported by the Committee on Military and Veterans Affairs and Homeland Security on June 6, consideration of which, under the rules, was postponed until June 7.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 65.**

A resolution commemorating the week of July 15 - 21, 2007, as Agricultural Extension Agent Recognition Week in the state of Michigan.

(For text of resolution, see House Journal No. 35, p. 492.)

(The resolution was reported by the Committee on Agriculture on June 13, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

Rep. Meltzer moved to substitute (H-1) the resolution as follows:

**Substitute for House Resolution No. 65.**

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

Resolved by the House of Representatives, That Rule 74 of the Standing Rules of the House of Representatives be amended to read as follows:

**“Personal Privilege and Conduct.**

Rule 74. (1) Matters involving personal privilege are limited and include only the following:

- (a) Anything tending to subject a Member to ridicule or contempt;
- (b) Charges in news media accounts relating to a Member in his or her representative capacity only;
- (c) News media accounts attributing to a Member remarks he or she has not made;
- (d) Accusation by another Member in debate of intentional misrepresentation;
- (e) Assault on a Member for words spoken in debate; and
- (f) Arrest of a Member except for treason, felony or breach of the peace.

(2) A Member shall not use his or her position in any manner to solicit or obtain anything of value for himself or herself, House employees or any other Member which tends to influence the manner in which the Member performs his or her official duties.

(3) Sexual harassment of Members or House employees is prohibited and will not be tolerated by the House.

(4) A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

(5) A Member shall not solicit or accept any type of campaign contribution in any House facility or building.

**(6) NO VOTE SHALL BE CONDITIONED ON LANGUAGE TO PROVIDE FUNDING FOR A MEMBER'S DISTRICT, NOR SHALL THE THREAT OF REMOVAL OF FUNDING, OR OTHER BENEFITS, FROM A MEMBER'S DISTRICT BE USED TO LEVERAGE A MEMBER'S VOTE IN THE HOUSE OF REPRESENTATIVES."**

The question being on the adoption of the substitute (H-1) offered by Rep. Meltzer,

### Point of Order

The Chair ruled it is the opinion of the Chair that the substitute is out of order since pursuant to House Rule 69, House rules shall not be amended unless the amendment is in writing and in possession of the House for five days prior to consideration.

Rep. Ward appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

### Roll Call No. 202

### Yeas—55

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

### Nays—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  
Emmons

LaJoy  
Law, David

Pastor  
Pavlov

Wenke

In The Chair: Sak

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

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4884, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as added by 2005 PA 232.

Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Gillard, Bauer, Bennett, Cheeks, Espinoza, Gonzales, Hammel, Hood, Lahti, LeBlanc, McDowell, Sak, Spade, Acciavatti, Shaffer, Booher, Caul, Hansen, Proos and Nofs

Nays: Reps. Byrnes, Alma Smith, Vagnozzi, Caswell, Brandenburg, Amos, Agema and Moss

#### Second Reading of Bills

##### **House Bill No. 4884, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as added by 2005 PA 232.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

##### **House Bill No. 4884, entitled**

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending section 7 (MCL 12.257), as added by 2005 PA 232.

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

#### Roll Call No. 203

#### Yeas—78

Accavitti  
Acciavatti  
Angerer  
Ball  
Bauer  
Bieda  
Booher

DeRoche  
Dillon  
Donigan  
Ebli  
Emmons  
Espinoza  
Farrah

Johnson  
Jones, Rick  
Jones, Robert  
Lahti  
LaJoy  
Law, David  
LeBlanc

Opsommer  
Palsrok  
Polidori  
Proos  
Robertson  
Rocca  
Sak

|           |          |           |               |
|-----------|----------|-----------|---------------|
| Brown     | Gaffney  | Leland    | Shaffer       |
| Byrum     | Gillard  | Lemmons   | Sheltrown     |
| Calley    | Gonzales | Mayer     | Simpson       |
| Casperson | Green    | McDowell  | Smith, Virgil |
| Caul      | Griffin  | Meadows   | Spade         |
| Cheeks    | Hammel   | Melton    | Stahl         |
| Clack     | Hammon   | Meltzer   | Stakoe        |
| Clemente  | Hansen   | Moolenaar | Steil         |
| Condino   | Hood     | Moore     | Tobocman      |
| Constan   | Hopgood  | Moss      | Valentine     |
| Corriveau | Horn     | Nitz      | Wojno         |
| Coulouris | Huizenga | Nofs      | Young         |
| Dean      | Jackson  |           |               |

**Nays—28**

|             |             |             |             |
|-------------|-------------|-------------|-------------|
| Agema       | Garfield    | Meekhof     | Scott       |
| Amos        | Hildenbrand | Miller      | Smith, Alma |
| Bennett     | Hoogendyk   | Palmer      | Vagnozzi    |
| Brandenburg | Hune        | Pastor      | Walker      |
| Byrnes      | Knollenberg | Pavlov      | Ward        |
| Caswell     | Lindberg    | Pearce      | Warren      |
| Elsenheimer | Marleau     | Schuitmaker | Wenke       |

In The Chair: Sak

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

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

The Speaker laid before the House

**House Bill No. 4208, entitled**

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," by amending sections 2 and 3 (MCL 393.502 and 393.503) and by adding section 3a.

(The bill was received from the Senate on June 12, with amendment to the House amendment to the Senate substitute (S-3), consideration of which, under the rules, was postponed until June 13.)

(For amendment see House Journal No. 59, p. 896.)

The question being on concurring in the amendment to the House amendment to the Senate substitute (S-3) 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. 204****Yeas—106**

|            |             |             |           |
|------------|-------------|-------------|-----------|
| Accavitti  | Dillon      | Knollenberg | Pearce    |
| Acciavatti | Donigan     | Lahti       | Polidori  |
| Agema      | Ebli        | LaJoy       | Proos     |
| Amos       | Elsenheimer | Law, David  | Robertson |
| Angerer    | Emmons      | LeBlanc     | Rocca     |
| Ball       | Espinoza    | Leland      | Sak       |

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

### Nays—0

In The Chair: Sak

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

### Third Reading of Bills

#### House Bill No. 4795, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82101, 82127, 82128, 82129, 82136, 82139, 82140, 82142, 82143, 82144, 82146, and 82148 (MCL 324.82101, 324.82127, 324.82128, 324.82129, 324.82136, 324.82139, 324.82140, 324.82142, 324.82143, 324.82144, 324.82146, and 324.82148), sections 82101 and 82148 as amended by 2005 PA 175, section 82127 as amended by 2001 PA 12, sections 82128 and 82129 as amended by 1999 PA 22, sections 82136, 82142, and 82146 as added by 1995 PA 58, and sections 82139, 82140, 82143, and 82144 as amended by 1996 PA 183.

(The bill was read a third time, amended and postponed for the day on June 13, see House Journal No. 60, p. 902.)

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 205

#### Yeas—101

|            |             |               |             |
|------------|-------------|---------------|-------------|
| Accavitti  | Dillon      | Jones, Robert | Pastor      |
| Acciavatti | Donigan     | Knollenberg   | Pavlov      |
| Agema      | Ebli        | Lahti         | Pearce      |
| Amos       | Elsenheimer | LaJoy         | Polidori    |
| Angerer    | Emmons      | Law, David    | Proos       |
| Ball       | Espinoza    | LeBlanc       | Robertson   |
| Bauer      | Farrah      | Leland        | Rocca       |
| Bieda      | Gaffney     | Lemmons       | Sak         |
| Booher     | Gillard     | Lindberg      | Schuitmaker |

|             |             |           |               |
|-------------|-------------|-----------|---------------|
| Brandenburg | Gonzales    | Marleau   | Scott         |
| Brown       | Green       | Mayes     | Shaffer       |
| Byrnes      | Griffin     | McDowell  | Sheltrown     |
| Byrum       | Hammel      | Meadows   | Simpson       |
| Calley      | Hammon      | Meekhof   | Smith, Virgil |
| Casperson   | Hansen      | Melton    | Spade         |
| Caswell     | Hildenbrand | Meltzer   | Stahl         |
| Caul        | Hood        | Miller    | Stakoe        |
| Cheeks      | Hoogendyk   | Moolenaar | Steil         |
| Clack       | Hopgood     | Moore     | Vagnozzi      |
| Clemente    | Horn        | Moss      | Valentine     |
| Condino     | Huizenga    | Nitz      | Walker        |
| Constan     | Hune        | Nofs      | Ward          |
| Corriveau   | Jackson     | Opsommer  | Wenke         |
| Coulouris   | Johnson     | Palmer    | Wojno         |
| Dean        | Jones, Rick | Palsrok   | Young         |
| DeRoche     |             |           |               |

**Nays—5**

|          |             |          |        |
|----------|-------------|----------|--------|
| Bennett  | Smith, Alma | Tobocman | Warren |
| Garfield |             |          |        |

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**House Bill No. 4813, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

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

**Roll Call No. 206****Yeas—101**

|             |             |               |               |
|-------------|-------------|---------------|---------------|
| Accavitti   | Dillon      | Jones, Robert | Pastor        |
| Acciavatti  | Donigan     | Knollenberg   | Pavlov        |
| Agema       | Ebli        | Lahti         | Pearce        |
| Amos        | Elsenheimer | LaJoy         | Polidori      |
| Angerer     | Emmons      | Law, David    | Proos         |
| Ball        | Espinoza    | LeBlanc       | Robertson     |
| Bauer       | Farrah      | Leland        | Rocca         |
| Bieda       | Gaffney     | Lemmons       | Sak           |
| Booher      | Gillard     | Lindberg      | Schuitmaker   |
| Brandenburg | Gonzales    | Marleau       | Scott         |
| Brown       | Green       | Mayes         | Shaffer       |
| Byrnes      | Griffin     | McDowell      | Sheltrown     |
| Byrum       | Hammel      | Meadows       | Simpson       |
| Calley      | Hammon      | Meekhof       | Smith, Virgil |
| Casperson   | Hansen      | Melton        | Spade         |
| Caswell     | Hildenbrand | Meltzer       | Stahl         |

|           |             |           |           |
|-----------|-------------|-----------|-----------|
| Caul      | Hood        | Miller    | Stakoe    |
| Cheeks    | Hoogendyk   | Moolenaar | Steil     |
| Clack     | Hopgood     | Moore     | Vagnozzi  |
| Clemente  | Horn        | Moss      | Valentine |
| Condino   | Huizenga    | Nitz      | Walker    |
| Constan   | Hune        | Nofs      | Ward      |
| Corriveau | Jackson     | Opsommer  | Wenke     |
| Coulouris | Johnson     | Palmer    | Wojno     |
| Dean      | Jones, Rick | Palsrok   | Young     |
| DeRoche   |             |           |           |

**Nays—5**

|          |             |          |        |
|----------|-------------|----------|--------|
| Bennett  | Smith, Alma | Tobocman | Warren |
| Garfield |             |          |        |

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**House Bill No. 4735, entitled**

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 4a (MCL 722.954a), as added by 1997 PA 172.

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

**Roll Call No. 207****Yeas—106**

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

|           |               |         |       |
|-----------|---------------|---------|-------|
| Corriveau | Jackson       | Palsrok | Wenke |
| Coulouris | Johnson       | Pastor  | Wojno |
| Dean      | Jones, Rick   | Pavlov  | Young |
| DeRoche   | Jones, Robert |         |       |

**Nays—0**

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Sheen entered the House Chambers.

**House Bill No. 4764, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 37 (MCL 211.37), as amended by 1994 PA 415.

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

**Roll Call No. 208****Yeas—107**

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

**Nays—0**

In The Chair: Sak

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

**House Bill No. 4737, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 13a of chapter XIA (MCL 712A.13a), as amended by 2004 PA 475.

The bill was read a third time.

The question being on the passage of the bill,

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

**Second Reading of Bills****House Bill No. 4372, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9k. 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 not adopted, a majority of the members serving not voting therefor.

Rep. Bieda moved to substitute (H-2) the bill.

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

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

The motion prevailed.

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

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

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Rep. Tobocman moved that Rep. Virgil Smith be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 4372, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9k. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 209****Yeas—102**

Accavitti  
Acciavatti  
Agema

Dillon  
Donigan  
Ebli

Jones, Robert  
Knollenberg  
Lahti

Pavlov  
Pearce  
Polidori

|             |             |            |             |
|-------------|-------------|------------|-------------|
| Angerer     | Elsenheimer | LaJoy      | Proos       |
| Ball        | Emmons      | Law, David | Robertson   |
| Bauer       | Espinoza    | LeBlanc    | Rocca       |
| Bennett     | Farrar      | Leland     | Sak         |
| Bieda       | Gaffney     | Lemmons    | Schuitmaker |
| Booher      | Garfield    | Lindberg   | Scott       |
| Brandenburg | Gillard     | Marleau    | Shaffer     |
| Brown       | Gonzales    | Mayes      | Sheen       |
| Byrnes      | Green       | McDowell   | Sheltrown   |
| Byrum       | Griffin     | Meadows    | Simpson     |
| Calley      | Hammel      | Melton     | Smith, Alma |
| Casperson   | Hammon      | Meltzer    | Spade       |
| Caswell     | Hansen      | Miller     | Stahl       |
| Caul        | Hildenbrand | Moolenaar  | Steil       |
| Cheeks      | Hood        | Moore      | Tobocman    |
| Clack       | Hoogendyk   | Moss       | Vagnozzi    |
| Clemente    | Hopgood     | Nitz       | Valentine   |
| Condino     | Horn        | Nofs       | Ward        |
| Constan     | Huizenga    | Opsommer   | Warren      |
| Corriveau   | Hune        | Palmer     | Wenke       |
| Coulouris   | Jackson     | Palsrok    | Wojno       |
| Dean        | Johnson     | Pastor     | Young       |
| DeRoche     | Jones, Rick |            |             |

#### Nays—4

|      |         |        |        |
|------|---------|--------|--------|
| Amos | Meekhof | Stakoe | Walker |
|------|---------|--------|--------|

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Meekhof, 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:

Mr. Speaker this bill was not given its proper hearing and I was not given appropriate time to review the ramifications with my district.”

Rep. Ward, 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 against this bill because it does not go far enough.”

#### Second Reading of Bills

##### Senate Bill No. 487, entitled

A bill to amend 1980 PA 497, entitled “Construction lien act,” by amending sections 110 and 115 (MCL 570.1110 and 570.1115), as amended by 2006 PA 572.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 487, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending sections 110 and 115 (MCL 570.1110 and 570.1115), as amended by 2006 PA 572.

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

**Roll Call No. 210**

**Yeas—105**

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

**Nays—1**

Meadows

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to establish, protect, and enforce by lien the rights of persons performing labor or providing material or equipment for the improvement of real property; to provide for certain defenses with respect thereto; to establish the

homeowner construction lien recovery fund; to provide for the powers and duties of certain state officers and agencies; to provide for the assessment of certain occupations; to provide remedies and prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### Second Reading of Bills

Pending the Second Reading of

#### **House Bill No. 4797, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 91 (MCL 38.1391), as amended by 2004 PA 117.

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

The motion prevailed.

Pending the Second Reading of

#### **House Bill No. 4798, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 91 (MCL 38.1391), as amended by 2006 PA 617.

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

The motion prevailed.

Pending the Second Reading of

#### **Senate Bill No. 188, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 3, 7, 623a, 681, 684, and 686 (MCL 380.3, 380.7, 380.623a, 380.681, 380.684, and 380.686), section 3 as amended by 2004 PA 303, section 623a as amended by 2004 PA 588, section 681 as amended by 2004 PA 415, and section 684 as amended by 1996 PA 277.

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

The motion prevailed.

#### **House Bill No. 4550, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2006 PA 518.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, following line 12, by inserting:

“Enacting section 1. This amendatory act takes effect January 1, 2008.” and renumbering the remaining enacting section.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### **House Bill No. 4550, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2006 PA 518.

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

**Roll Call No. 211****Yeas—102**

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

**Nays—4**

|       |           |        |       |
|-------|-----------|--------|-------|
| Agema | Hoogendyk | Palmer | Sheen |
|-------|-----------|--------|-------|

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****House Bill No. 4551, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50 and 50b (MCL 750.50 and 750.50b), section 50 as amended by 1998 PA 405 and section 50b as amended by 1996 PA 80.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4551, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 50 and 50b (MCL 750.50 and 750.50b), section 50 as amended by 1998 PA 405 and section 50b as amended by 1996 PA 80.

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

**Roll Call No. 212**

**Yeas—90**

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

**Nays—16**

|             |           |         |        |
|-------------|-----------|---------|--------|
| Agema       | Hoogendyk | Nofs    | Pavlov |
| Brandenburg | Meekhof   | Palmer  | Sheen  |
| Elsenheimer | Miller    | Palsrok | Stahl  |
| Garfield    | Moolenaar | Pastor  | Stakoe |

In The Chair: Sak

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

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

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50 (MCL 750.50), as amended by 1998 PA 405.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Elsenheimer, 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 support the intent of this bill, but am opposed to the consecutive sentencing element, and also believe that the removal of the term ‘willful’ is not needed and actually weakens the bill. Sentencing needs to be proportional, and allowing consecutive sentencing in a situation like this may not be when related to human crimes. I mistakenly supported this bill in committee; I thought the only bill with the consecutive lament in this package was 4552, which I opposed.”

Rep. Meekhof, 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 can not vote in favor of this bill. It sentences people convicted of animal cruelty, more harshly than we sentence people for crimes against humans. We currently have prison capacity problems and I believe animal cruelty offenders can be dealt with a non prison sentence.”

### Second Reading of Bills

#### House Bill No. 4552, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4552, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

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

#### Roll Call No. 213

#### Yeas—80

|            |          |               |             |
|------------|----------|---------------|-------------|
| Accavitti  | Dean     | Johnson       | Robertson   |
| Acciavatti | DeRoche  | Jones, Rick   | Rocca       |
| Angerer    | Dillon   | Jones, Robert | Sak         |
| Ball       | Donigan  | Knollenberg   | Schuitmaker |
| Bauer      | Ebli     | Lahti         | Scott       |
| Bennett    | Espinoza | LaJoy         | Shaffer     |
| Bieda      | Farrah   | Law, David    | Sheltrown   |
| Booher     | Gaffney  | LeBlanc       | Simpson     |
| Brown      | Gillard  | Leland        | Smith, Alma |
| Byrnes     | Gonzales | Lemmons       | Spade       |
| Byrum      | Green    | Lindberg      | Steil       |
| Caswell    | Griffin  | Mayer         | Tobocman    |
| Caul       | Hammel   | McDowell      | Vagnozzi    |
| Cheeks     | Hammon   | Meadows       | Valentine   |
| Clack      | Hansen   | Melton        | Walker      |
| Clemente   | Hood     | Moore         | Ward        |
| Condino    | Hopgood  | Nitz          | Warren      |

Constan  
Corriveau  
Coulouris

Horn  
Hune  
Jackson

Pearce  
Polidori  
Proos

Wenke  
Wojno  
Young

### Nays—26

Agema  
Amos  
Brandenburg  
Calley  
Casperson  
Elsenheimer  
Emmons

Garfield  
Hildenbrand  
Hoogendyk  
Huizenga  
Marleau  
Meekhof  
Meltzer

Miller  
Moolenaar  
Moss  
Nofs  
Opsommer  
Palmer

Palsrok  
Pastor  
Pavlov  
Sheen  
Stahl  
Stakoe

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Elsenheimer, 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 support the intent of this bill, but am opposed to the consecutive sentencing element, and also believe that the removal of the term ‘willful’ is not needed and actually weakens the bill. Sentencing needs to be proportional, and allowing consecutive sentencing in a situation like this may not be when related to human crimes.”

### Second Reading of Bills

#### House Bill No. 4650, entitled

A bill to revise the standards under which courts of this state recognize foreign money judgments; to establish procedures for the recognition of foreign money judgments; to limit the time within which an action to enforce a foreign money judgment may be commenced; to make uniform the law relating to the enforcement of foreign money judgments; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

#### Senate Bill No. 345, 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 section 9 (MCL 207.559), as amended by 2006 PA 436.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman moved that House Committees be given leave to meet during the balance of today's session. 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 Tuesday, June 19, at 10:00 a.m. The motion prevailed.

Reps. Horn, Wojno, Hoogendyk, Kathleen Law, David Law, Hune, Young, Polidori, Condino, Constan, Knollenberg, Caspersen, Hildenbrand, Warren, Elsenheimer, Accavitti, Ball, Booher, Garfield, Green, Hansen, Huizenga, Robert Jones, LaJoy, Meekhof, Palmer, Pastor, Pearce, Proos, Shaffer, Stahl and Gonzales offered the following resolution:

#### **House Resolution No. 134.**

A resolution to urge Michigan's state executive departments to transmit required reports electronically.

Whereas, Information is essential to sound policymaking and administration. Fittingly, a considerable amount of energy and resources go into the gathering of information on virtually all types of governmental programs. Reports that chronicle the impact of these programs are important tools for the state; and

Whereas, In spite of the considerable advances Michigan has made in utilizing the Internet and other computer technology, there remain many instances in which information is transmitted through printed reports. While there may be occasions when this is necessary, it would seem to be far more prudent for state government to do all it can to save time and money by delivering its various reports and notices electronically. With the options of attaching whole documents or sending links to web sites that hold the information, there is little reason not to require this practice; and

Whereas, With the current financial difficulties facing our state, every avenue for savings must be explored; now, therefore, be it

Resolved by the House of Representatives, That we urge Michigan's state executive departments to transmit required reports electronically whenever possible; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Management and Budget.

The resolution was referred to the Committee on Government Operations.

Reps. Opsommer, Accavitti, Ball, Bieda, Booher, Brown, Byrnes, Caspersen, Clack, Constan, Dean, Garfield, Green, Hammel, Hammon, Hansen, Hopgood, Huizenga, Robert Jones, LaJoy, Leland, Lemmons, Meekhof, Nitz, Palmer, Pastor, Pearce, Proos, Rocca, Shaffer, Stahl, Tobocman, Vagnozzi, Bauer, Walker and Gonzales offered the following resolution:

#### **House Resolution No. 135.**

A resolution to memorialize Congress to provide adequate funding to the United States Department of State to help ensure the efficient and timely processing of passports and associated refunds.

Whereas, New federal rules, including the Western Hemisphere Travel Initiative (WHTI), indicate that United States citizens must now have passports to reenter this country via air from other countries, including Mexico. The federal departments responsible for processing the passports knew that such rules would cause a large increase in demand for the documents, yet did not undertake the necessary steps to meet such demand; and

Whereas, Citizens of the United States have frequently been unable to get their passports in time for trips, despite applying several months in advance and paying additional fees to expedite the process. This has resulted in thousands of cases where trips have been cancelled or rescheduled, often at significant financial loss and inconvenience to travelers; and

Whereas, This situation is the responsibility of the federal government, which put forth these new travel rules, set their implementation deadlines, and should have reasonably anticipated and planned for the increase in demand for such passports; and

Whereas, Refunds will need to be given to applicants who paid for expedited applications that still failed to reach them in a timely manner. The ability to get these refunds will need to be advertised so citizens are aware of their rights and can be reimbursed quickly; and

Whereas, The Congress must live up to its responsibility for the laws it has enacted, and must ensure that additional steps are taken so that this problem does not happen again in the future. This should include hiring additional federal employees and investing in necessary federal computer upgrades; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to provide adequate funding to the United States Department of State to ensure the efficient and timely processing of passports and associated refunds; 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 Government Operations.

Reps. Sak, Accavitti, Ball, Bieda, Booher, Brown, Byrnes, Byrum, Casperson, Caswell, Clack, Constan, Dean, Garfield, Gillard, Green, Griffin, Hammel, Hammon, Hansen, Hood, Hopgood, Huizenga, Robert Jones, LaJoy, LeBlanc, Leland, Lemmons, Marleau, Mayes, McDowell, Meekhof, Melton, Miller, Opsommer, Palmer, Pearce, Proos, Rocca, Scott, Shaffer, Sheltroun, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Bauer, Gonzales and Polidori offered the following resolution:

**House Resolution No. 136.**

A resolution recognizing June 17-23, 2007, as Juvenile Diabetes Awareness Week in the state of Michigan.

Whereas, Juvenile or type 1 diabetes is one of the leading chronic diseases in children and adolescents. There is no cure; and

Whereas, People with type 1 diabetes, an autoimmune disease in which a person's pancreas stops producing insulin, a hormone that enables people to get energy from food, must test their blood sugar up to four times or more a day. Then they must administer insulin through multiple, daily injections, or the use of a continuous insulin infusion pump; and

Whereas, Each year more than 13,000 children in the U.S. are diagnosed with type 1 diabetes; and

Whereas, This chronic, debilitating disease affects every organ system in the body and usually strikes in childhood, adolescence or young adulthood, and lasts a lifetime; and

Whereas, Diabetes kills one American every three minutes and is the sixth leading cause of death reported in the United States. Life expectancy for people with diabetes is shortened by an average of 7-10 years; and

Whereas, Michigan youth will be among 150 children throughout the country who will represent their state on Capitol Hill to remind Congress and the administration of the critical need to find a cure for a disease they live with every day - type 1 (juvenile) diabetes; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize June 17-23, 2007, as Juvenile Diabetes Awareness Week in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Horn, Wojno, Hoogendyk, Kathleen Law, David Law, Hune, Young, Polidori, Condino, Constan, Knollenberg, Casperson, Hildenbrand, Warren, Elsenheimer, Accavitti, Ball, Booher, Clack, Garfield, Green, Hansen, Huizenga, Robert Jones, LaJoy, Meekhof, Palmer, Pastor, Pearce, Proos, Shaffer, Stahl, Valentine and Gonzales offered the following concurrent resolution:

**House Concurrent Resolution No. 29.**

A concurrent resolution to urge Michigan's state executive departments to transmit required reports electronically.

Whereas, Information is essential to sound policymaking and administration. Fittingly, a considerable amount of energy and resources go into the gathering of information on virtually all types of governmental programs. Reports that chronicle the impact of these programs are important tools for the state; and

Whereas, In spite of the considerable advances Michigan has made in utilizing the Internet and other computer technology, there remain many instances in which information is transmitted through printed reports. While there may be occasions when this is necessary, it would seem to be far more prudent for state government to do all it can to save time and money by delivering its various reports and notices electronically. With the options of attaching whole documents or sending links to web sites that hold the information, there is little reason not to require this practice; and

Whereas, With the current financial difficulties facing our state, every avenue for savings must be explored; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge Michigan's state executive departments to transmit required reports electronically whenever possible; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Management and Budget.

The concurrent resolution was referred to the Committee on Government Operations.

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 14:

**House Bill Nos. 4912 4913 4914 4915 4916 4917 4918 4919 4920 4921**

The Clerk announced that the following Senate bills had been received on Thursday, June 14:

**Senate Bill Nos. 394 571**

### Reports of Standing Committees

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

**House Bill No. 4861, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 321 (MCL 600.321), as amended by 2005 PA 326.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Shaffer, Brandenburg, Booher, Caul, Hansen, Moss and Nofs

Nays: None

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

**Senate Bill No. 134, entitled**

A bill to authorize the state administrative board to convey certain parcels of state owned property in Ingham county and Wayne county; to prescribe conditions for the conveyances; to provide for certain powers and duties of certain state departments and agencies in relation to the conveyances; to provide for disposition of revenue derived from the conveyances; and to provide for the release of certain property rights held by the state.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Concurrent Resolution No. 27.**

A concurrent resolution to revise the total project cost of the Technical and Industrial Building Renovations project at Washtenaw Community College.

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

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

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

Nays: Reps. Acciavatti, Brandenburg and Agema

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 13, 2007

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

Absent: Rep. Jackson

Excused: Rep. Jackson

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 14, 2007

Present: Reps. Angerer, Simpson, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Hune, Marleau, Ball and Calley

Absent: Reps. Byrum, Ward and Green

Excused: Reps. Byrum, Ward and Green

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, June 14, 2007

Present: Reps. Clemente, Leland, Clack, Griffin, Meadows, Melton, Huizenga, Hildenbrand, Garfield and Pastor

Absent: Rep. Meisner

Excused: Rep. Meisner

**Messages from the Senate****House Bill No. 4661, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 411a and 416 (MCL 380.411a and 380.416), as amended by 2004 PA 303.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 4766, entitled**

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 20m (MCL 38.1140m), as added by 2002 PA 728.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**Senate Bill No. 394, entitled**

A bill to amend 2004 PA 46, entitled "Public safety officers benefit act," (MCL 28.631 to 28.638) by amending the title and by adding section 4a.

The Senate has passed the bill.

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

**Senate Bill No. 571, entitled**

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

The Senate has passed the bill.

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

**Messages from the Governor**

Date: June 14, 2007

Time: 9:25 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4207 (Public Act No. 19, I.E.), being**

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 17213.

(Filed with the Secretary of State June 14, 2007, at 10:28 a.m.)

**Introduction of Bills**

Reps. Bieda, Condino, Kathleen Law, Tobocman, Vagnozzi, Miller, Rick Jones and Alma Smith introduced

**House Bill No. 4922, entitled**

A bill to regulate eyewitness identifications; and to provide for certain powers and duties of certain state and local officers and agencies.

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

Reps. Meisner, Young, Polidori, Clack, Kathleen Law, Gillard, Miller, Hopgood, Donigan, Bieda, Coulouris, Hansen, Green, Stahl, Hildenbrand, Nofs, Spade, Pearce, Tobocman, Vagnozzi and Jackson introduced

**House Bill No. 4923, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14j.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Melton, Leland, Young, Johnson, Clemente and Hopgood introduced

**House Bill No. 4924, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1259.

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

Reps. David Law, Rick Jones, Hansen, Green and LaJoy introduced

**House Bill No. 4925, entitled**

A bill to adopt the uniform child abduction prevention act; to allow courts in this state to impose measures to prevent the abduction of children; to establish standards for determining whether a child is subject to a significant risk of abduction; and to provide remedies.

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

Reps. Hopgood and Miller introduced

**House Bill No. 4926, entitled**

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

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

Reps. Kathleen Law and Miller introduced

**House Bill No. 4927, entitled**

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Meltzer offered the following resolution:

**House Resolution No. 137.**

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

Resolved by the House of Representatives, That Rule 74 of the Standing Rules of the House of Representatives be amended to read as follows:

**“Personal Privilege and Conduct.**

Rule 74. (1) Matters involving personal privilege are limited and include only the following:

- (a) Anything tending to subject a Member to ridicule or contempt;
- (b) Charges in news media accounts relating to a Member in his or her representative capacity only;
- (c) News media accounts attributing to a Member remarks he or she has not made;
- (d) Accusation by another Member in debate of intentional misrepresentation;
- (e) Assault on a Member for words spoken in debate; and
- (f) Arrest of a Member except for treason, felony or breach of the peace.

(2) A Member shall not use his or her position in any manner to solicit or obtain anything of value for himself or herself, House employees or any other Member which tends to influence the manner in which the Member performs his or her official duties.

(3) Sexual harassment of Members or House employees is prohibited and will not be tolerated by the House.

(4) A Member shall not convert for personal, business and/or campaign use, unrelated to House business, any supplies, services, facilities, or staff provided by the State of Michigan. This includes, but is not limited to, telephones, telecopy machines, computers, postage, and copy machines.

(5) A Member shall not solicit or accept any type of campaign contribution in any House facility or building.

**(6) NO VOTE SHALL BE CONDITIONED ON LANGUAGE TO PROVIDE FUNDING FOR A MEMBER'S DISTRICT, NOR SHALL THE THREAT OF REMOVAL OF FUNDING, OR OTHER BENEFITS, FROM A MEMBER'S DISTRICT BE USED TO LEVERAGE A MEMBER'S VOTE IN THE HOUSE OF REPRESENTATIVES.”.**

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

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Rep. Jackson moved that the House adjourn.

The motion prevailed, the time being 2:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 19, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

