

No. 2
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House Chamber, Lansing, Wednesday, January 16, 2008.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Mark S. Meadows, from the 69th District, offered the following invocation:

“Brothers and Sisters, let us praise the Lord.

Gracious God, grant us guidance in discharging our responsibilities to the people and our duty to You.

Lord, give us comfort in Your words, in Romans 8:38 and 39 that ‘Neither death, nor life, nor angels nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord.’

Lord, unto Whom all hearts are open, all desires known, and from Whom no secrets are hid, guide us as we deliberate and decide the mighty issues that face our state and our people in the upcoming year.

Lord in Your mercy help us to trust the power that brought Jesus from death to life and that sent Jesus to death in order to save mankind.

In the name of the Father, the Son and the Holy Ghost, Amen.”

Rep. Tobocman moved that Rep. Angerer be excused from today’s session.
The motion prevailed.

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

Second Reading of Bills

House Bill No. 4560, entitled

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

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

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

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

1. Amend page 2, following line 25, by inserting:

“(6) WHENEVER THE DEPARTMENT RECEIVES BIDS FOR THE PROGRAM FROM MICHIGAN-BASED VENDORS AND OUT-OF-STATE VENDORS THAT OFFER EQUAL OR COMPARABLE SERVICES, THE DEPARTMENT SHALL AWARD THE CONTRACT TO THE MICHIGAN-BASED VENDOR, PROVIDED THAT THE MICHIGAN-BASED VENDOR’S BID IS EQUAL TO OR LOWER THAN THAT OF ANY OUT-OF-STATE VENDOR’S BID.”.

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

Rep. Rick Jones demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1

Yeas—106

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Agema	Elsenheimer	Law, Kathleen	Robertson
Amos	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer

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

Nays—0

In The Chair: Sak

Rep. Hammon 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. 4560, entitled

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

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

Roll Call No. 2

Yeas—76

Accavitti	Dillon	LaJoy	Sak
Ball	Donigan	Law, David	Scott
Bauer	Ebli	Law, Kathleen	Sheen
Bennett	Espinoza	LeBlanc	Sheltrown
Bieda	Farrah	Leland	Simpson
Brown	Gaffney	Lemmons	Smith, Alma
Byrnes	Gillard	Lindberg	Smith, Virgil
Byrum	Gonzales	Marleau	Spade
Casperson	Griffin	Mayes	Stahl
Caul	Hammel	McDowell	Stakoe
Cheeks	Hammon	Meadows	Steil
Clack	Hood	Meisner	Tobocman

Clemente	Hopgood	Melton	Vagnozzi
Condino	Horn	Miller	Valentine
Constan	Jackson	Moolenaar	Ward
Corriveau	Johnson	Moore	Warren
Coulouris	Jones, Rick	Nofs	Wenke
Cushingberry	Jones, Robert	Polidori	Wojno
Dean	Lahti	Rocca	Young

Nays—30

Acciavatti	Emmons	Meekhof	Pavlov
Agema	Green	Meltzer	Pearce
Amos	Hansen	Moss	Proos
Booher	Hildenbrand	Nitz	Robertson
Calley	Hoogendyk	Opsommer	Schuitmaker
Caswell	Huizenga	Palmer	Shaffer
DeRoche	Hune	Palsrok	Walker
Elsenheimer	Knollenberg		

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

Senate Bill No. 92, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 12101, 12102, 12103, 12105, 12107, 12111, 12112, and 12113 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12107, 324.12111, 324.12112, and 324.12113), sections 12101 and 12102 as amended by 2001 PA 165, sections 12103 and 12112 as amended by 2007 PA 75, and sections 12105 and 12107 as amended by 1998 PA 140, and by adding section 12102a.

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

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

Rep. Mayes moved to amend the bill as follows:

1. Amend page 11, line 16, after “**THAT**” by striking out the balance of the subdivision and inserting a comma and “**TO PRODUCE BIOGAS, WILL BE DECOMPOSED IN A CONTROLLED MANNER UNDER ANAEROBIC CONDITIONS USING A CLOSED SYSTEM THAT COMPLIES WITH PART 55.**”.

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.

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. 92, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 12101, 12102, 12103, 12105, 12107, 12111, 12112, and 12113 (MCL 324.12101, 324.12102, 324.12103, 324.12105, 324.12107, 324.12111, 324.12112, and 324.12113), sections 12101 and 12102 as amended by 2001 PA 165, sections 12103 and 12112 as amended by 2007 PA 75, and sections 12105 and 12107 as amended by 1998 PA 140, and by adding section 12102a.

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

Roll Call No. 3**Yeas—106**

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

Nays—0

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; 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**House Bill No. 5351, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 611 (MCL 257.611).

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

The substitute (H-1) 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. 5351, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 611 (MCL 257.611).

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

Roll Call No. 4

Yeas—106

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

Nays—0

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 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 611a.

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 230.

A resolution to encourage the federal government to remove the double-crested cormorant from the list of protected species under the Migratory Bird Treaty Act of 1918.

(For text of resolution, see House Journal No. 125 of 2007, p. 2297.)

(The resolution was reported by the Committee on Tourism, Outdoor Recreation and Natural Resources on November 27, 2007, consideration of which, under the rules, was postponed until November 28, 2007.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 57.

A concurrent resolution to encourage the federal government to remove the double-crested cormorant from the list of protected species under the Migratory Bird Treaty Act of 1918.

(For text of concurrent resolution, see House Journal No. 125 of 2007, p. 2298.)

(The concurrent resolution was reported by the Committee on Tourism, Outdoor Recreation and Natural Resources on November 27, 2007, consideration of which, under the rules, was postponed until November 28, 2007.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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

Reps. Hopgood, Accavitti, Ball, Bauer, Bieda, Brown, Clack, Condino, Gillard, Gonzales, Green, Hammel, Hammon, Huizenga, Johnson, Rick Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Mayes, Miller, Pearce, Polidori, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Spade, Stahl, Tobocman, Warren, Wojno, Farrah, Vagnozzi, Clemente, Dean and Meisner offered the following resolution:

House Resolution No. 246.

A resolution recognizing January 13, 2008, as Korean American Day in the state of Michigan.

Whereas, On January 13, 1903, 102 Korean natives first arrived on the shores of Hawaii in search of a better life; and

Whereas, The Centennial Committees of Korean Immigration and Korean Americans designated January 13 of each year as Korean American Day in honor of this voyage and the lasting, expanding, imprint of Korean American contributions on American society; and

Whereas, The state of Michigan and the United States of America have been enriched by the contributions of Korean Americans to all facets of life, including the arts, sciences, business, education, and philanthropy; and

Whereas, The state of Michigan is fortunate to be home to almost 30,000 Korean Americans who, in each generation, have enhanced our culture, quality of life, and economic vitality through their leadership, commitments to knowledge and advancement, and dedication to their communities; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate January 13, 2008, as Korean American Day in the state of Michigan. We encourage all citizens to celebrate the invaluable contributions of Korean Americans to this state and to this country.

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. Sak, Accavitti, Bauer, Bieda, Brown, Clack, Constan, Gillard, Gonzales, Hammel, Hammon, Hopgood, Johnson, Lahti, LeBlanc, Lemmons, Mayes, Meekhof, Miller, Sheltroun, Alma Smith, Spade, Stahl, Valentine, Warren, Wojno, Farrah, Vagnozzi, Dean and Meisner offered the following resolution:

House Resolution No. 247.

A resolution to express opposition to the President's pocket veto of the National Defense Authorization Act for Fiscal Year 2008 and to memorialize Congress to work to enact this legislation and to include its provisions for improved veterans benefits.

Whereas, In a move that has drawn strong reaction from across the country, President George W. Bush has employed the pocket veto to reject the National Defense Authorization Act for Fiscal Year 2008. This action, which in itself is procedurally questionable in the opinion of some, has a significant negative impact on our military personnel and veterans; and

Whereas, With the veto of this sweeping \$696 billion defense authorization measure, the President has negated legislation that would not only have increased benefits for the brave men and women serving our nation in the wars in Iraq and Afghanistan, but also would have provided increased services to assure that veterans receive better care and treatment. The bill included a 3.5 percent pay raise, authorizations for well-deserved bonuses, and provisions for tighter oversight of critical military spending; and

Whereas, The President has cited as his rationale for the veto his concerns over a provision pertaining to liabilities that he feels could impede reconstruction of Iraq. The legislation was enacted with overwhelming majorities in both the House and Senate and from both parties; and

Whereas, It is extremely disheartening for the President to have taken this veto action on so crucial a step to defend our country and support our men and women in harm's way and those who have served us and now need our support as veterans. Clearly, this situation must be remedied to protect our country and those who work to keep it free; now, therefore, be it

Resolved by the House of Representatives, That we express opposition to the President's pocket veto of the National Defense Authorization Act for Fiscal Year 2008 and memorialize Congress to work to enact this legislation and to include its provisions for improved veterans benefits; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 Military and Veterans Affairs and Homeland Security.

Reps. Sak, Accavitti, Ball, Bieda, Brown, Caul, Clack, Condino, Constan, Gonzales, Green, Hammel, Hopgood, Huizenga, Johnson, Lahti, LeBlanc, Lemmons, Marleau, Mayes, Palsrok, Pearce, Polidori, Proos, Scott, Shaffer, Alma Smith, Spade, Stahl, Warren, Wojno, Farrah, Vagnozzi, Clemente, Dean, Knollenberg and Meisner offered the following resolution:

House Resolution No. 248.

A resolution recognizing January 27 through February 2, 2008, as Catholic Schools Week in the state of Michigan.

Whereas, The goal of Catholic schools is to provide students with a solid academic foundation within a specific and focused value system; and

Whereas, The Catholic Church sees the parents as the primary educators and that parental supervision and involvement play a major role in the education of students; and

Whereas, Catholic schools believe that teaching morals and values is essential to the complete education of the student since every member of society continually makes moral decisions; and

Whereas, Students who attend Catholic schools receive higher scores in national math, science and reading tests and a national study also shows that the students have positive values and deeper religious beliefs; and

Whereas, Catholic schools in Michigan strive to prepare students spiritually, academically, physically and socially; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize January 27 through February 2, 2008, as Catholic Schools 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. Tobocman, Accavitti, Ball, Bauer, Bieda, Brown, Clack, Condino, Constan, Gillard, Gonzales, Green, Hammel, Hammon, Hopgood, Horn, Huizenga, Johnson, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Mayes, Miller, Palsrok, Pearce, Polidori, Proos, Sak, Scott, Shaffer, Sheltroun, Alma Smith, Spade, Stahl, Steil, Warren, Farrah, Hansen, Vagnozzi, Dean, Knollenberg and Meisner offered the following resolution:

House Resolution No. 249.

A resolution proclaiming February 12, 2008, through February 12, 2010, as Michigan's official observance of the bicentennial of Abraham Lincoln's birth.

Whereas, Abraham Lincoln, the 16th President of the United States and one of the nation's greatest leaders, demonstrated courage, compassion, and integrity during one of the most turbulent and violent periods in American history; and

Whereas, Abraham Lincoln was born of humble beginnings in a log cabin in Kentucky and rose to the presidency through a legacy of honesty, intelligence, and determination, as well as a strong dedication to the nation he served; and

Whereas, With the belief that all men are created equal, President Abraham Lincoln led the national effort that would ultimately free all slaves in the United States. The first step in freeing the slaves was President Lincoln's signing of the Emancipation Proclamation; and

Whereas, Abraham Lincoln delivered his immortal speech in Gettysburg, Pennsylvania, on November 19, 1863, invoking the basic principles of human equality as outlined in the Declaration of Independence, thereby broadening the objective of the American Civil War from saving the Union to fostering "a new birth of freedom" and re-emphasizing the underlying purpose of government to be an institution "of the people, by the people, and for the people"; and

Whereas, Despite the tragedy and turmoil of the Civil War, Abraham Lincoln demonstrated through words and actions a generosity of heart and greatness of character that generated a spirit of reconciliation with "malice toward none and charity for all"; and

Whereas, Through his work and service to our nation, Lincoln made a lasting impact on our state as acknowledged by the following historic events and memorabilia located here in Michigan; and

Whereas, In 1848, Abraham Lincoln traveled the Great Lakes and Detroit River aboard the steamboat *Globe*; and

Whereas, On July 27, 1848, Abraham Lincoln coined the word "Michigander" when, as part of a speech in the U.S. House of Representatives, he referred to one of Michigan's Senators as a great Michigander; and

Whereas, Abraham Lincoln visited Kalamazoo, Michigan, during the presidential campaign of 1856 to give a speech for presidential nominee, John C. Fremont, at a Republican Party rally in what is now Bronson Park, Kalamazoo; and

Whereas, Congress passed and President Lincoln signed into law the Morrill Act that gave birth to land grant colleges, with Michigan State University, founded in 1855, being the first land grant college established in the nation; and

Whereas, A Lincoln statue for Alaska was created at the University of Michigan; and

Whereas, The Logan County, Illinois, courthouse, where Abraham Lincoln practiced law, is now part of the historic buildings collection at Greenfield Village in Dearborn, Michigan; and

Whereas, The Grace Bedell letter suggesting that Lincoln would improve his appearance if he grew a beard is in the Burton Historical Collections, Detroit Public Library; and

Whereas, The Ford's Theatre chair President Lincoln was seated in when he was assassinated, along with his shawl and theatre playbill, are located at The Henry Ford Museum in Dearborn, Michigan; and

Whereas, "The Lincoln Funeral March" was published in Detroit, Michigan; and

Whereas, The Abraham Lincoln Civil War Roundtable of Michigan, founded in 1952, was the fourth roundtable founded in the United States; and

Whereas, There are more than 67 towns and places named for our 16th President and more than 35 statues dedicated to Abraham Lincoln in Michigan; and

Whereas, The Congress of the United States has created the Abraham Lincoln Bicentennial Commission to study and recommend worthy national activities to honor Abraham Lincoln in 2008; and

Whereas, The people of Michigan are beginning preparations for events and programs for a statewide commemoration of the bicentennial of Abraham Lincoln's birth; and

Whereas, The residents of Michigan and indeed all Americans may derive inspiration and benefit from the study of the life, words, and deeds of our nation's 16th President; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim February 12, 2008, through February 12, 2010, to be the official observance in Michigan of the bicentennial of Abraham Lincoln's birth. We invite all Michigan residents to commemorate the 200th anniversary of Abraham Lincoln's birth on Thursday, February 12, 2009; and be it further

Resolved, That copies of this resolution be transmitted to Governor Jennifer M. Granholm and Dr. William Anderson, director of the Michigan Department of History, Arts, and Libraries and chair of the Michigan Lincoln Bicentennial Committee.

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. Miller, Accavitti, Bauer, Bieda, Brown, Byrum, Caul, Clack, Condino, Constan, Gillard, Gonzales, Green, Hammel, Hammon, Hopgood, Johnson, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Mayes, Meekhof, Palsrok, Polidori, Sak, Sheltrown, Alma Smith, Spade, Stahl, Steil, Tobocman, Valentine, Warren, Wojno, Farrah, Hansen, Vagnozzi, Clemente, Dean and Meisner offered the following resolution:

House Resolution No. 250.

A resolution to memorialize the United States Congress to fund veterans programs, including health care, fully and fairly.

Whereas, When we send our men and women in the Armed Forces to war, there is an unstated compact between the government and people back home and those members of the military. This compact goes beyond the language of enlistment contracts that spell out specific terms of service. The compact holds that when these Soldiers, Marines, Sailors, and Airmen return home from war that we will help make their lives whole again. Even a veteran who comes home from war unwounded and healthy has lost valuable years of educational opportunities and career experience in order to serve in uniform. Those who return with wounds both obvious and unseen will carry an additional burden from their service in our name. These veterans especially need our nation's help to live their lives as completely as possible; and

Whereas, Unlike service contracts, the compact our society has with our veterans can only be enforced by our good will and conscience. There is no authority to appeal a failure of our society to spend the necessary resources to support veterans and address their health needs for decades after the gunfire falls silent. Sadly, we have at times in our history neglected our veterans in the years after mustering out at home. Money is always scarce at budget time, with many competing goals to fund. Unfortunately, the gratitude for sacrifice and service that at first makes upholding our social contract a priority fades with time; and

Whereas, Today our people rightly support the troops regardless of political ideology. We recognize that these volunteers are doing their duty and fighting honorably. The social contract between our government and veterans is as strong now as it will likely ever be. We owe it to the veterans who will seek help over the next two decades to establish a baseline of support that will withstand the dulling effects of time. We must fully fund veterans programs, including health care, and make sure the services are fairly provided, so that future legislators and officials will continue to fulfill the obligation we have accepted now by sending our sons and daughters to war; now, therefore, be it

Included by the House of Representatives, That we memorialize the United States Congress to fund veterans programs, including health care, fully and fairly; 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 Military and Veterans Affairs and Homeland Security.

Reps. Sak, Accavitti, Bauer, Bieda, Brown, Clack, Constan, Gillard, Gonzales, Hammel, Hammon, Hopgood, Johnson, Lahti, LeBlanc, Lemmons, Mayes, Meekhof, Miller, Sheltrown, Alma Smith, Spade, Valentine, Warren, Wojno, Farrah, Vagnozzi, Dean and Meisner offered the following concurrent resolution:

House Concurrent Resolution No. 65.

A concurrent resolution to express opposition to the President's pocket veto of the National Defense Authorization Act for Fiscal Year 2008 and to memorialize Congress to work to enact this legislation and to include its provisions for improved veterans benefits.

Whereas, In a move that has drawn strong reaction from across the country, President George W. Bush has employed the pocket veto to reject the National Defense Authorization Act for Fiscal Year 2008. This action, which in itself is procedurally questionable in the opinion of some, has a significant negative impact on our military personnel and veterans; and

Whereas, With the veto of this sweeping \$696 billion defense authorization measure, the President has negated legislation that would not only have increased benefits for the brave men and women serving our nation in the wars in Iraq and Afghanistan, but also would have provided increased services to assure that veterans receive better care and treatment. The bill included a 3.5 percent pay raise, authorizations for well-deserved bonuses, and provisions for tighter oversight of critical military spending; and

Whereas, The President has cited as his rationale for the veto his concerns over a provision pertaining to liabilities that he feels could impede reconstruction of Iraq. The legislation was enacted with overwhelming majorities in both the House and Senate and from both parties; and

Whereas, It is extremely disheartening for the President to have taken this veto action on so crucial a step to defend our country and support our men and women in harm's way and those who have served us and now need our support as veterans. Clearly, this situation must be remedied to protect our country and those who work to keep it free; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express opposition to the President's pocket veto of the National Defense Authorization Act for Fiscal Year 2008 and memorialize Congress to work to enact this legislation and to include its provisions for improved veterans benefits; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 concurrent resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

Rep. Tobocman offered the following concurrent resolution:

House Concurrent Resolution No. 66.

A concurrent resolution providing for a joint convention of the House of Representatives and the Senate.

Resolved by the House of Representatives (the Senate concurring), That the House of Representatives and Senate meet in joint convention in the Hall of the House of Representatives, Tuesday, January 29, 2008, at 6:30 p.m., to receive the message of Governor Jennifer M. Granholm.

Pending the reference of the concurrent resolution to a committee,
Rep. Tobocman moved that Rule 71 be suspended and the concurrent 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 concurrent resolution,
The concurrent resolution was adopted.

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, January 10:

House Bill Nos.	5590	5591	5592	5593	5594	5595	5596	5597	5598	5599	5600	5601	5602	5603
	5604	5605	5606											
Senate Bill Nos.	1006	1007	1008	1009	1010	1011	1012							

The Clerk announced that the following bill had been printed and placed upon the files of the members on Wednesday, January 16:

Senate Bill No. 1014

Reports of Standing Committees

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 5186, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5305 (MCL 700.5305), as amended by 2000 PA 464, and by adding section 5319.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 5187, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5422 and 5423 (MCL 700.5422 and 700.5423), section 5423 as amended by 2005 PA 204.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 5188, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5410 (MCL 700.5410).

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca
Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 5513, entitled

A bill to amend 1905 PA 299, entitled "An act to provide for changing and determining the names of divorced women," by amending the title and section 1 (MCL 552.391).

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. Condino, Coulouris, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Rick Jones and Rocca
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 9, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Absent: Reps. Virgil Smith and David Law

Excused: Reps. Virgil Smith and David Law

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 10, 2008

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

Absent: Reps. Spade, Johnson, Valentine and Calley

Excused: Reps. Spade, Johnson, Valentine and Calley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 16, 2008

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

Absent: Reps. Pastor and Wenke

Excused: Reps. Pastor and Wenke

Notices

January 16, 2008

Mr. Richard J. Brown Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I hereby appoint Rep. Mike Nofs to the Judiciary Subcommittee on Sex Offender Registry and Corrections.

Regards,
Andy Dillon
Speaker of the House of Representatives

Communications from State Officers

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

January 8, 2008

Enclosed is the 2007 annual report of the Michigan Transportation Fund and Local Program Fund, as required by Section 17(2) of the Michigan Transportation Fund Act, Public Act 51 of 1951, as amended.

This report is available on the Michigan Department of Transportation's website. The file can be viewed or downloaded at http://www.michigan.gov/mdot/0,1607,7-151-9622_11045---,00.html.

Please contact me at (517) 241-3178 if you have any questions.

Sincerely,
Mary Cumberworth
Financial Operations Division

The communication was referred to the Clerk.

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

January 15, 2008

Please find attached one copy of the Personal Property Audit Quarterly Report for the period October 1, 2007 - December 31, 2007. The report is required by Public Act 127 of 2007, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$5,267,400.00 included in part 1 for the revenue enhancement program, \$4,767,400.00 shall be used for revenue collection enhancement activities including auditing functions.

(2) The department of treasury shall submit quarterly progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

January 15, 2008

Please find attached one copy of the Principal Residence Exemption Compliance Program Quarterly Report for the period October 1, 2007 - December 31, 2007. The report is required by Public Act 127 of 2007, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$5,267,400.00 included in part 1 for the revenue enhancement program, \$4,767,400.00 shall be used for revenue collection enhancement activities including auditing functions.

(3) The \$500,000.00 balance of the \$5,267,400.00 shall be used for the principal residence exemption compliance program. Along with other program costs, expenditures shall include the development of a statewide web-based database created for the purpose of enforcing the principal residence exemption compliance program. The department shall submit quarterly progress reports that include the number of exemptions denied and the revenue received under this program. The legislative auditor general shall complete a performance audit of the principal residence exemption compliance program prior to April 1, 2008. Revenue generated to the state from the principal residence exemption compliance program shall be used to reimburse the state general fund for the \$500,000.00 appropriation prior to any other allocation. Additional funds from the revenue enhancement program and carry-forward appropriations may be used to support costs in excess of \$500,000.00.

Frederick Headen, Director
Bureau of Local Government Services

The communications were referred to the Clerk.

Announcements by the Clerk

January 10, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of Parnall Correctional Facility, Department of Corrections, January 2008.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Introduction of Bills

Rep. Calley introduced

House Bill No. 5607, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 80114a.

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

Reps. Kathleen Law, Hopgood, Clack, Condino, Miller and Meisner introduced

House Bill No. 5608, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5838a and 5851 (MCL 600.5838a and 600.5851), section 5838a as amended by 1993 PA 78 and section 5851 as amended by 1993 PA 283.

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

Rep. Simpson introduced

House Bill No. 5609, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as amended by 2004 PA 365.

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

Rep. Sak introduced

House Bill No. 5610, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4ee.

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

Rep. Sak introduced

House Bill No. 5611, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 7129 (MCL 289.7129).

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

Rep. Sak introduced

House Bill No. 5612, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 162; and to repeal acts and parts of acts.

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

Rep. Sak introduced

House Bill No. 5613, entitled

A bill to provide for the establishment of regional infrastructure authorities; to provide powers and duties of an authority; to authorize an authority to impose and collect an excise tax on certain recreational activities; to limit the rate of the

excise tax; to require voter approval of the excise tax; to authorize the issuance of bonds and notes by an authority; and to provide for the powers and duties of certain government officials.

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

Rep. Sak introduced

House Bill No. 5614, entitled

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," by amending section 60 (MCL 288.530).

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

Rep. Sak introduced

House Bill No. 5615, entitled

A bill to provide for compensation to certain members of the military killed in active duty and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation.

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

Rep. Sak introduced

House Bill No. 5616, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 430.

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

Rep. Sak introduced

House Bill No. 5617, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2007 PA 69.

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

Rep. Sak introduced

House Bill No. 5618, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2004 PA 357.

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

Rep. Sak introduced

House Bill No. 5619, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 3 (MCL 117.3), as amended by 2004 PA 541.

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

Rep. Young introduced

House Bill No. 5620, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4q (MCL 117.4q), as added by 2003 PA 316.

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

Rep. Schuitmaker introduced

House Bill No. 5621, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

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

Rep. Schuitmaker introduced

House Bill No. 5622, entitled

A bill to designate the official fruit of this state.

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

Rep. Schuitmaker introduced

House Bill No. 5623, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4n (MCL 205.54n), as added by 1994 PA 111.

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

Rep. Lemmons introduced

House Joint Resolution KK, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 24 of article VI, to eliminate the designation of incumbency on judicial ballots.

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

Rep. Alma Smith moved that the House adjourn.

The motion prevailed, the time being 3:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, January 17, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives