

No. 74
STATE OF MICHIGAN
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House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Thursday, September 11, 2008.

12:00 Noon.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
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—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—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Fran Amos, from the 43rd District, offered the following invocation:

“Dear Lord - We thank You for this day and the many blessings You have bestowed upon us. We thank You for our lives, families, friendships and the gifts You have provided us. Guide and bless us who have been sent here by the people of Michigan, and who have been ordained by You to govern this great state. As we remember the events that occurred seven years ago today, may You watch over all of us and give us strength. May we carry the spirit of those we lost on September 11, 2001 in our hearts always. Today, in honor of Patriot’s Day, let us reflect on the many things those fighting for our country have provided us: Freedom, security, and the ability to take pride in our great nation. These things that we enjoy are often taken for granted and assumed to be free. But that is not the case. Our freedom and security are owed to the brave women and men who protect and serve our nation everyday. In Jesus’ name we pray. AMEN.”

Second Reading of Bills

House Bill No. 6032, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending sections 5, 6, 7, 11, and 16 (MCL 207.775, 207.776, 207.777, 207.781, and 207.786), sections 6 and 7 as amended by 2005 PA 338 and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

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. 6032, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending sections 5, 6, 7, 11, and 16 (MCL 207.775, 207.776, 207.777, 207.781, and 207.786), sections 6 and 7 as amended by 2005 PA 338 and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

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

Roll Call No. 717

Yeas—109

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

Caul	Hoogendyk	Moolenaar	Steil
Cheeks	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Cushingberry	Jones, Robert	Pastor	Wojno
Dean	Knollenberg	Pavlov	Young
DeRoche			

Nays—1

Garfield

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 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending sections 2, 4, 5, 6, 7, 11, and 16 (MCL 207.772, 207.774, 207.775, 207.776, 207.777, 207.781, and 207.786), section 2 as amended by 2008 PA 228, section 4 as amended by 2008 PA 4, sections 6 and 7 as amended by 2005 PA 338, and section 11 as amended by 2005 PA 339; and to repeal acts and parts of acts.

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.

Second Reading of Bills

House Bill No. 6243, entitled

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 2008 PA 22.

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

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

Rep. Amos 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. 6243, entitled

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 2008 PA 22.

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

Roll Call No. 718**Yeas—109**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrar	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil
Calley	Hansen	Melton	Spade
Casperson	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	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon			

Nays—1

Caswell

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. 6263, 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.

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

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 18, following line 20, by inserting:

“(CC) FOR THE 2008 TAX YEAR AND EACH TAX YEAR AFTER 2008 AS LONG AS THE RATE LEVIED AND IMPOSED UNDER SECTION 51 IS GREATER THAN 3.9% FOR THAT TAX YEAR, DEDUCT AN AMOUNT EQUAL TO THE QUOTIENT OF THE DIFFERENCE BETWEEN THE TAXPAYER’S TAX LIABILITY FOR THE CURRENT TAX YEAR BEFORE THIS DEDUCTION AND THE AMOUNT OF THE TAXPAYER’S TAX LIABILITY FOR THE SAME TAX YEAR IF THE RATE HAD BEEN LEVIED AND IMPOSED AT 3.9% DIVIDED BY THE TAX RATE FOR THE CURRENT TAX YEAR.”

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 23, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5989 of the 94th Legislature is enacted into law.”

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 18, following line 20, by inserting:

“(CC) FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 2007, DEDUCT AN AMOUNT EQUAL TO THE QUOTIENT OF THE INCREASED AMOUNT OF PROPERTY TAXES LEVIED ON THE TAXPAYER’S PRINCIPAL RESIDENCE, NOT INCLUDING ADDITIONS, THAT IS ATTRIBUTABLE TO THE INCREASE IMPOSED PURSUANT TO SECTION 27A(2) OF THE GENERAL PROPERTY TAX ACT, 1893 PA 206, MCL 211.27A, DIVIDED BY THE INCOME TAX RATE IMPOSED FOR THAT SAME TAX YEAR PURSUANT TO SECTION 51.”

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 23, following line 15, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Joint Resolution Y of the 94th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963.”

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

Rep. Corriveau 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.

Rep. Hansen moved that Rep. David Law 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. 6263, 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.

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

Roll Call No. 719

Yeas—109

Accavitti
Acciavatti
Agema

Dillon
Donigan
Ebli

Knollenberg
Lahti
LaJoy

Pearce
Polidori
Proos

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

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.

Second Reading of Bills

House Bill No. 6222, 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 16a (MCL 207.566a), as added by 1996 PA 94.

The bill was read a second time.

Rep. Meisner moved to amend the bill as follows:

1. Amend page 2, line 4, after “effective” by striking out “OR” and inserting a comma.

2. Amend page 2, line 5, after “EXPIRES,” by inserting “OR, AS PERMITTED BY THE LOCAL GOVERNMENTAL UNIT, AT ANY OTHER TIME IN WHICH THE CERTIFICATE IS IN EFFECT”.

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

Rep. Rocca 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.

Rep. Meekhof moved that Rep. Steil 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. 6222, 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 16a (MCL 207.566a), as added by 1996 PA 94.

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

Roll Call No. 720

Yeas—108

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

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.

Reps. Acciavatti, Amos, Ball, Bauer, Bieda, Booher, Brandenburg, Brown, Byrum, Calley, Constan, DeRoche, Elsenheimer, Farrah, Garfield, Gonzales, Griffin, Hildenbrand, Horn, Rick Jones, Robert Jones, Knollenberg, LaJoy, Kathleen Law, LeBlanc, Marleau, Mayes, Meadows, Melton, Meltzer, Moolenaar, Moss, Opsommer, Palmer, Pastor, Polidori, Sak, Schuitmaker, Scott, Shaffer, Simpson, Spade, Tobocman and Vagnozzi were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, September 16, at 1:30 p.m. The motion prevailed.

Reps. Sheen, Condino, Robertson, Hoogendyk, Proos, Palsrok, Farrah, Ward, Hune, Caul, Booher, Hansen, Gaffney, Nitz, Meltzer, Moolenaar, Stahl, Green, Meekhof, Pastor, Emmons, Accavitti, Bieda, Brown, Clack, Constan, Dean, Hammel, Hildenbrand, Hopgood, Rick Jones, Robert Jones, LeBlanc, Leland, Lemmons, Marleau, Palmer, Sak, Simpson, Vagnozzi, Ball, Lahti and Shaffer offered the following resolution:

House Resolution No. 427.

A resolution proclaiming September 2008 as Life Insurance Awareness Month in the state of Michigan.

Whereas, Life insurance provides financial security for families in the event of death by helping surviving family members to meet immediate, ongoing, and future financial obligations and objectives; and

Whereas, Surveys consistently indicate that the vast majority of Americans believe that life insurance is an essential part of a sound financial plan; and

Whereas, The unfortunate reality today is that 68 million adult Americans have no life insurance and most of those with coverage have far less than experts recommend; and

Whereas, Five hundred thousand adults in the prime of their lives die prematurely each year in the United States, often leaving surviving family members in dire financial circumstances as a result of inadequate life insurance protection; and

Whereas, Determining how much and what kind of insurance to buy is one of the most important financial decisions consumers will ever make, individuals, families, and businesses can benefit greatly from the expert advice of a qualified life insurance professional; and

Whereas, The Life and Health Insurance Foundation for Education, and a coalition representing hundreds of leading life insurance companies and organizations have designated September 2008 as "Life Insurance Awareness Month." The goal is to make consumers more aware of their life insurance needs, seek professional advice, and take the actions necessary to achieve the financial security of their loved ones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim September 2008 as Life Insurance Awareness Month in the state of Michigan. We urge our citizens to learn more about life insurance and its benefits.

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. Corriveau, Accavitti, Bieda, Booher, Brown, Caul, Clack, Condino, Constan, Dean, Farrah, Gillard, Green, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Hood, Hopgood, Robert Jones, LaJoy, LeBlanc, Leland, Lemmons, Marleau, Palmer, Pastor, Proos, Sak, Sheltroun, Simpson, Spade, Tobocman, Vagnozzi, Valentine, Ball, Gonzales, Lahti, Shaffer and Melton offered the following resolution:

House Resolution No. 428.

A resolution declaring September 2008 as Brain Aneurysm Awareness Month in the state of Michigan.

Whereas, One out of fifty people in the U.S. have a brain aneurysm. It is a silent killer, which often presents with no prior symptoms or whose symptoms are often ignored or misdiagnosed; and

Whereas, Studies show that approximately six million people will develop an aneurysm which will not rupture; and

Whereas, An un-ruptured brain aneurysm can lead to fatigue, short-term memory problems, speech problems, loss of balance and coordination, and changes in behavior; and

Whereas, Annually, over 30,000 people suffer a ruptured aneurysm in the United States. Ten to fifteen percent of these patients will die before reaching the hospital; and

Whereas, Over 50 percent of the people who suffer bleeding from an aneurysm die within the first month. Of those that survive, approximately another one-third will have residual major nervous system problems and are left with long-term memory problems; and

Whereas, Various risks factors can contribute to the formation of a brain aneurysm and/or increase the risk of it rupturing. These risk factors include infection, tumors, traumatic head injury, drug use, smoking, hypertension, and a family history of brain aneurysms. Further, women are twice as likely to develop brain aneurysm as men; and

Whereas, Various signs can help detect the likelihood of a brain aneurysm rupturing and often come on suddenly. These may include: stiff neck, nausea, vomiting, blurred or double vision, and seizures; and

Whereas, Shirley Dudek Demmer, a Michigan mother, loving wife, daughter and friend, suddenly, and without warning, was struck down with a brain aneurism in mid-November of 2007; and

Whereas, Bill Demmer, through a generous monetary gift in memory of his beloved wife, helped establish the Shirley Dudek Demmer Chair of Research Grant. The awarded grant will help fund critical research and support awareness initiatives designed to educate medical professionals to help prevent the common misdiagnosis of brain aneurysm; and

Whereas, Through public awareness, we as a state and a nation seek to minimize the devastating effects of brain aneurysms among all United States citizens; now, therefore, be it

Resolved by the House of Representative, That the members of this legislative body declare September 2008 as Brain Aneurysm Awareness Month in the state of Michigan; and be it further

Resolved, That the state of Michigan hereby recognizes Bill Demmer and his family for their commitment and dedication in the effort to bring awareness and early detection of this life threatening condition. We hope that his wife's story may serve the community she held so dear; and be it further

Resolved, That we commemorate the life of Shirley Dudek Demmer and others who have lost their lives to this sudden affliction.

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.

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 Wednesday, September 10:

House Bill Nos. 6414 6415

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, September 10, for her approval of the following bill:

Enrolled House Bill No. 5898 at 3:07 p.m.

The Clerk announced that the following bills and joint resolutions had been printed and placed upon the files of the members on Thursday, September 11:

**House Bill Nos. 6416 6417 6418 6419 6420 6421 6422 6423 6424 6425 6426 6427 6428 6429
6430 6431 6432 6433 6434 6435 6436 6437 6438**

House Joint Resolutions KKK LLL

**Senate Bill Nos. 1463 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478
1479 1480 1481 1482 1483 1484**

The Clerk announced that the following Senate bills had been received on Thursday, September 11:

Senate Bill Nos. 921 1167

Reports of Standing Committees

The Committee on Health Policy, by Rep. Angerer, Chair, reported

Senate Bill No. 1304, entitled

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending section 3 (MCL 331.33), as amended by 1994 PA 428.

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. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Marleau, Green and Moore
Nays: None

The Committee on Health Policy, by Rep. Angerer, Chair, reported

House Resolution No. 296.

A resolution to memorialize the Congress and the President of the United States to enact the Breast Cancer Patient Protection Act.

(For text of resolution, see House Journal No. 22, p. 404.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno and Moore
Nays: None

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, September 11, 2008

Present: Reps. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Marleau, Green and Moore

Absent: Reps. Johnson, Gaffney, Hune, Ball, Calley and Robertson

Excused: Reps. Johnson, Gaffney, Hune, Ball, Calley and Robertson

The Committee on Transportation, by Rep. Hopgood, Chair, reported

House Bill No. 6414, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 20b, 20c, and 642a.

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. Hopgood, Griffin, Bieda, Donigan, Ebli, Leland, Miller, Young, LaJoy, Nitz, Pavlov and Knollenberg
Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

House Bill No. 6415, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to

authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Miller, Young, LaJoy, Nitz, Pavlov and Knollenberg

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hopgood, Chair, of the Committee on Transportation, was received and read:
Meeting held on: Thursday, September 11, 2008

Present: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Miller, Young, LaJoy, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Absent: Reps. Mayes and Casperson

Excused: Reps. Mayes and Casperson

Messages from the Senate

Senate Bill No. 218, 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 2007 PA 146.

The Senate has substituted (S-6) the House substitute (H-2).

The Senate has concurred in the House substitute (H-2) as substituted (S-6), ordered that the bill be given immediate effect and amended the title to read as follows:

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 2008 PA 170.

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

Senate Bill No. 921, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16345, 18301, 18303, 18305, 18307, and 18309 (MCL 333.16345, 333.18301, 333.18303, 333.18305, 333.18307, and 333.18309), section 16345 as added by 1993 PA 79, sections 18301, 18303, 18307, and 18309 as added by 1988 PA 473, and section 18305 as amended by 2006 PA 394, and by adding sections 18313 and 18315.

The Senate has passed the bill.

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

Senate Bill No. 1167, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16315, 16335, 17801, 17820, 17821, and 17822 (MCL 333.16315, 333.16335, 333.17801, 333.17820, 333.17821, and 333.17822), section 16315 as amended by 2007 PA 166, section 16335 as added by 1993 PA 80, section 17801 as amended by 1987 PA 213, sections 17820 and 17821 as amended by 2006 PA 387, and section 17822 as amended by 2005 PA 281, and by adding sections 17808, 17823, 17824, 17825, 17849, 17850, 17854, 17856, 17862, 17864, 17866, 17868, 17870, 17872, 17878, 17882, and 17884.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **House Bill No. 5037**.

Rep. Agema

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **House Bill No. 5038**.

Rep. Agema

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 6091**.

Rep. Tobocman

Waiver
of Remaining Session Days

TO: Peter L. Plummer, Executive Director
State Office of Administrative Hearings and Rules
Norene Lind, Administrative Rules Manager
State Office of Administrative Hearings and Rules
Secretary of the Senate
Clerk of the House

FROM: Senator John Pappageorge, Chair
Representative Dudley Spade, Alternate Chair

DATE: September 11, 2008

The Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days, pursuant to MCL 24.245a(1), for the proposed rule set dated April 21, 2008 as follows: Department of Environmental Quality—Air Quality Division -Air Pollution Control—Part 18. Prevention of Significant Deterioration of Air Quality (2007-017 EQ) (JCAR # 08-43).

According to MCL 24.245a(2), if the Committee waives the remaining session days, the State Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,

Senator John Pappageorge
Chair

Joint Committee on Administrative Rules

Representative Dudley Spade
Alternate Chair

Joint Committee on Administrative Rules

Messages from the Governor

Date: September 10, 2008

Time: 3:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6205 (Public Act No. 269, I.E.), being

An act to amend 1975 PA 222, entitled “An act to establish the Michigan higher education student loan authority for the purpose of providing loans to eligible students and to parents of students; to prescribe its powers and duties; to authorize the authority to borrow money and issue bonds which are subject to or exempt from federal income taxation and to provide for the disposition of those funds; to exempt the bonds from taxation; to authorize the authority to acquire loans made to eligible students or to parents of students; and to authorize persons, corporations, and associations to make gifts to the authority,” by amending section 5 (MCL 390.1155), as amended by 2002 PA 547.

(Filed with the Secretary of State September 10, 2008, at 3:19 p.m.)

Date: September 10, 2008

Time: 4:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5898 (Public Act No. 270, I.E.), being

An act to amend 2007 PA 36, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,” (MCL 208.1101 to 208.1601) by adding section 430.

(Filed with the Secretary of State September 11, 2008, at 10:58 a.m.)

Introduction of Bills

Rep. Ward introduced

House Bill No. 6439, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2110b (MCL 500.2110b), as added by 2004 PA 190.

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

Rep. Bieda introduced

House Bill No. 6440, entitled

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” by amending section 3e (MCL 445.573e), as added by 1996 PA 384.

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

Reps. Warren and Bieda introduced

House Bill No. 6441, entitled

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” by amending section 4a (MCL 445.574a), as added by 1998 PA 473.

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

Reps. Bieda and Warren introduced

House Bill No. 6442, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4b (MCL 445.574b), as added by 1998 PA 473.

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

Reps. Bieda and Warren introduced

House Bill No. 6443, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

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

Reps. Bieda and Warren introduced

House Bill No. 6444, entitled

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 2 (MCL 445.572), as amended by 1998 PA 473.

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

Rep. Gaffney introduced

House Bill No. 6445, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending sections 1 and 1a (MCL 780.621 and 780.621a), section 1 as amended by 2002 PA 472 and section 1a as added by 1982 PA 495.

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

Rep. Condino introduced

House Bill No. 6446, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter II (MCL 762.11), as amended by 2004 PA 239.

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

Reps. Valentine, Kathleen Law, Miller, Hood, Byrnes, Leland, Brown, Polidori and Dean introduced

House Bill No. 6447, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 253.

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

Reps. Bieda and Condino introduced

House Bill No. 6448, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 700.

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

Rep. Clack introduced

House Bill No. 6449, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending the heading of part 129 and sections 12601, 12603, 12611, 12613, 12614, 12905, and 12915 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, 333.12905, and 333.12915), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as

amended by 1993 PA 217, section 12614 as added by 1988 PA 296, section 12905 as amended by 1993 PA 242, and section 12915 as amended by 1982 PA 526, and by adding section 12606; and to repeal acts and parts of acts.

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

Rep. Farrah introduced

House Bill No. 6450, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 12601a, 12606a, 12606b, 12606c, and 12905b.

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

Rep. Farrah introduced

House Bill No. 6451, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 12601a, 12606a, 12606b, 12606c, and 12905b.

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

Reps. Spade, Byrnes, Clemente, LeBlanc, Gillard, Angerer, Farrah, Polidori, Brown, Bennett, Johnson, Simpson, Condino, Wojno, Bauer, Amos, Rick Jones, Hopgood, Kathleen Law, Stahl, Dean, Meadows and Alma Smith introduced

House Bill No. 6452, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 198.

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

Reps. Rocca, Agema, Rick Jones, Gaffney, Moss, Opsommer, Moore, Palsrok, Nofs, Ward, Brandenburg, Casperson, Green, Elsenheimer and Schuitmaker introduced

House Bill No. 6453, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2008 PA 133.

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

Rep. Hune introduced

House Bill No. 6454, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 1, 8g, and 9 (MCL 338.881, 338.888g, and 338.889), section 1 as amended by 1992 PA 130, section 8g as added by 1990 PA 246, and section 9 as amended by 1981 PA 150.

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

Reps. Miller, Byrnes, Gonzales, Bieda, Alma Smith, Valentine, Bennett, Dean, Accavitti and LaJoy introduced

House Bill No. 6455, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

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

Reps. Angerer, Wojno, Farrah, Accavitti, Ball, Condino, Green and Meadows introduced

House Bill No. 6456, entitled

A bill to amend 1967 PA 270, entitled "An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data," by amending the title and section 1 (MCL 331.531), the title as amended by 1980 PA 3 and section 1 as amended by 2005 PA 89, and by adding section 4.

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

Rep. DeRoche moved that the House adjourn.
The motion prevailed, the time being 4:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, September 16, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives