

No. 97
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
93rd Legislature
REGULAR SESSION OF 2006

House Chamber, Lansing, Friday, December 29, 2006.

11:00 a.m.

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

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Rep. Aldo Vagnozzi, from the 37th District, offered the following invocation:

“Dear God, it is with a great deal of humility that I ask You to bless this House, its members and the people we represent. In that blessing we ask Your infinite wisdom to chart a course that will lead us to make the right decisions on behalf of our constituents.

We especially ask Your assistance in guiding us to adopt legislation that will help the poor, the disadvantaged, the handicapped, the unemployed and others who are having a difficult time in providing for their families.

At the same time let us not forget those in the rest of the world who face starvation, genocide as in Darfur, Africa, deadly diseases and unsafe living conditions.

Dear Lord, point us in the right direction, Amen.”

Messages from the Senate

The Honorable Craig DeRoche
Speaker of the House of Representatives
State Capitol
Lansing, Michigan. 48913

Dear Mr. Speaker:

I herewith return to the House of Representatives the following House Bills, House Joint Resolutions and House Concurrent Resolutions which failed passage or adoption in the Senate:

House Bill Nos.:	4024	4025	4037	4074	4079	4080	4100	4119	4129	4148	4160	4200	4204	4217
	4226	4228	4237	4259	4260	4262	4278	4289	4309	4311	4312	4327	4337	4360
	4433	4478	4486	4487	4488	4489	4490	4491	4522	4538	4558	4559	4566	4569
	4614	4615	4616	4636	4641	4674	4680	4681	4700	4710	4711	4712	4713	4721
	4745	4746	4753	4755	4756	4789	4792	4799	4801	4813	4814	4815	4816	4819
	4823	4835	4849	4850	4853	4892	4904	4929	4933	4935	4962	4983	5003	5021
	5028	5029	5030	5082	5132	5133	5166	5167	5169	5172	5183	5198	5205	5206
	5207	5209	5210	5232	5239	5244	5292	5293	5310	5322	5325	5327	5334	5340

5418	5436	5443	5444	5445	5446	5452	5457	5458	5462	5487	5493	5533	5538
5541	5628	5633	5641	5663	5698	5699	5701	5702	5703	5751	5753	5755	5797
5838	5842	5846	5847	5851	5852	5855	5874	5879	5880	5881	5882	5883	5890
5908	5909	5914	5915	5917	5943	5965	5970	5985	5993	6006	6007	6011	6017
6022	6026	6028	6041	6049	6055	6072	6085	6125	6128	6129	6130	6131	6132
6133	6167	6238	6257	6258	6259	6287	6288	6289	6294	6320	6321	6358	6365
6366	6370	6371	6372	6373	6374	6375	6376	6377	6378	6379	6380	6381	6382
6383	6384	6390	6398	6403	6404	6405	6406	6430	6431	6432	6433	6434	6435
6436	6457	6458	6459	6469	6470	6472	6473	6481	6527	6545	6626	6640	6666
6693	6695	6698	6699	6700	6701	6702	6703	6704	6705				

House Joint Resolutions: F V

House Concurrent Resolutions: 10 19 25

Very respectfully,
 Carol Morey Viventi, J.D.
 Secretary of the Senate

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, December 15, for her approval of the following bills:

Enrolled House Bill No. 6580 at 11:24 a.m.
Enrolled House Bill No. 6587 at 11:26 a.m.
Enrolled House Bill No. 6440 at 11:50 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, December 19, for her approval of the following bill:

Enrolled House Bill No. 6302 at 3:37 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, December 20, for her approval of the following bills:

Enrolled House Bill No. 5300 at 9:30 a.m.
Enrolled House Bill No. 5301 at 9:32 a.m.
Enrolled House Bill No. 5302 at 9:34 a.m.
Enrolled House Bill No. 5303 at 9:36 a.m.
Enrolled House Bill No. 5304 at 9:38 a.m.
Enrolled House Bill No. 5305 at 9:40 a.m.
Enrolled House Bill No. 5306 at 9:42 a.m.
Enrolled House Bill No. 5307 at 9:44 a.m.
Enrolled House Bill No. 5308 at 9:46 a.m.
Enrolled House Bill No. 5309 at 9:48 a.m.
Enrolled House Bill No. 5453 at 9:50 a.m.
Enrolled House Bill No. 6137 at 9:52 a.m.
Enrolled House Bill No. 4317 at 10:46 a.m.
Enrolled House Bill No. 5815 at 10:48 a.m.
Enrolled House Bill No. 5816 at 10:50 a.m.
Enrolled House Bill No. 5853 at 10:52 a.m.
Enrolled House Bill No. 5999 at 10:54 a.m.
Enrolled House Bill No. 6000 at 10:56 a.m.
Enrolled House Bill No. 6032 at 10:58 a.m.
Enrolled House Bill No. 6118 at 11:00 a.m.
Enrolled House Bill No. 6181 at 11:02 a.m.
Enrolled House Bill No. 6271 at 11:04 a.m.
Enrolled House Bill No. 6275 at 11:06 a.m.
Enrolled House Bill No. 6364 at 11:08 a.m.
Enrolled House Bill No. 6449 at 11:10 a.m.

Enrolled House Bill No. 6553 at 11:12 a.m.
Enrolled House Bill No. 4806 at 1:36 p.m.
Enrolled House Bill No. 5033 at 1:38 p.m.
Enrolled House Bill No. 5278 at 1:40 p.m.
Enrolled House Bill No. 5657 at 1:42 p.m.
Enrolled House Bill No. 5658 at 1:44 p.m.
Enrolled House Bill No. 6043 at 1:46 p.m.
Enrolled House Bill No. 6239 at 1:48 p.m.
Enrolled House Bill No. 6322 at 1:50 p.m.
Enrolled House Bill No. 6348 at 1:52 p.m.
Enrolled House Bill No. 6363 at 1:54 p.m.
Enrolled House Bill No. 6394 at 1:56 p.m.
Enrolled House Bill No. 6416 at 1:58 p.m.
Enrolled House Bill No. 6631 at 2:00 p.m.
Enrolled House Bill No. 6632 at 2:02 p.m.
Enrolled House Bill No. 6636 at 2:04 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, December 21, for her approval of the following bills:

Enrolled House Bill No. 4481 at 10:34 a.m.
Enrolled House Bill No. 4735 at 10:36 a.m.
Enrolled House Bill No. 5374 at 10:38 a.m.
Enrolled House Bill No. 5420 at 10:40 a.m.
Enrolled House Bill No. 5529 at 10:42 a.m.
Enrolled House Bill No. 5545 at 10:44 a.m.
Enrolled House Bill No. 5661 at 10:46 a.m.
Enrolled House Bill No. 6009 at 10:48 a.m.
Enrolled House Bill No. 6245 at 10:50 a.m.
Enrolled House Bill No. 6300 at 10:52 a.m.
Enrolled House Bill No. 6309 at 10:54 a.m.
Enrolled House Bill No. 6310 at 10:56 a.m.
Enrolled House Bill No. 5221 at 2:14 p.m.
Enrolled House Bill No. 6174 at 2:16 p.m.
Enrolled House Bill No. 6291 at 2:18 p.m.
Enrolled House Bill No. 6292 at 2:20 p.m.
Enrolled House Bill No. 6293 at 2:22 p.m.
Enrolled House Bill No. 6295 at 2:24 p.m.
Enrolled House Bill No. 6299 at 2:26 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Friday, December 22, for her approval of the following bills:

Enrolled House Bill No. 5351 at 3:06 p.m.
Enrolled House Bill No. 5389 at 3:08 p.m.
Enrolled House Bill No. 5717 at 3:10 p.m.
Enrolled House Bill No. 5750 at 3:12 p.m.
Enrolled House Bill No. 5927 at 3:14 p.m.
Enrolled House Bill No. 6098 at 3:16 p.m.
Enrolled House Bill No. 6116 at 3:18 p.m.
Enrolled House Bill No. 6267 at 3:20 p.m.
Enrolled House Bill No. 6308 at 3:22 p.m.
Enrolled House Bill No. 6315 at 3:24 p.m.
Enrolled House Bill No. 6325 at 3:26 p.m.
Enrolled House Bill No. 6346 at 3:28 p.m.
Enrolled House Bill No. 6387 at 3:30 p.m.
Enrolled House Bill No. 6392 at 3:32 p.m.
Enrolled House Bill No. 6475 at 3:34 p.m.
Enrolled House Bill No. 6476 at 3:36 p.m.
Enrolled House Bill No. 6477 at 3:38 p.m.

Enrolled House Bill No. 6576 at 3:40 p.m.
Enrolled House Bill No. 6603 at 3:42 p.m.
Enrolled House Bill No. 6630 at 3:44 p.m.
Enrolled House Bill No. 6663 at 3:46 p.m.
Enrolled House Bill No. 6681 at 3:48 p.m.
Enrolled House Bill No. 5337 at 3:50 p.m.
Enrolled House Bill No. 4647 at 3:52 p.m.
Enrolled House Bill No. 4918 at 3:54 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, December 27, for her approval of the following bills:

Enrolled House Bill No. 4257 at 9:26 a.m.
Enrolled House Bill No. 4315 at 9:28 a.m.
Enrolled House Bill No. 4328 at 9:30 a.m.
Enrolled House Bill No. 4455 at 9:32 a.m.
Enrolled House Bill No. 4536 at 9:34 a.m.
Enrolled House Bill No. 4919 at 9:36 a.m.
Enrolled House Bill No. 4931 at 9:38 a.m.
Enrolled House Bill No. 5022 at 9:40 a.m.
Enrolled House Bill No. 5078 at 9:42 a.m.
Enrolled House Bill No. 5135 at 9:44 a.m.
Enrolled House Bill No. 5204 at 9:46 a.m.
Enrolled House Bill No. 5259 at 9:48 a.m.
Enrolled House Bill No. 5637 at 9:50 a.m.
Enrolled House Bill No. 5704 at 9:52 a.m.
Enrolled House Bill No. 5761 at 9:54 a.m.
Enrolled House Bill No. 5901 at 9:56 a.m.
Enrolled House Bill No. 5947 at 9:58 a.m.
Enrolled House Bill No. 4539 at 10:00 a.m.
Enrolled House Bill No. 5966 at 10:02 a.m.
Enrolled House Bill No. 5968 at 10:04 a.m.
Enrolled House Bill No. 6004 at 10:06 a.m.
Enrolled House Bill No. 6030 at 10:08 a.m.
Enrolled House Bill No. 6076 at 10:10 a.m.
Enrolled House Bill No. 6077 at 10:12 a.m.
Enrolled House Bill No. 6108 at 10:14 a.m.
Enrolled House Bill No. 6182 at 10:16 a.m.
Enrolled House Bill No. 6187 at 10:18 a.m.
Enrolled House Bill No. 6278 at 10:20 a.m.
Enrolled House Bill No. 6313 at 10:22 a.m.
Enrolled House Bill No. 6323 at 10:24 a.m.
Enrolled House Bill No. 6368 at 10:26 a.m.
Enrolled House Bill No. 6386 at 10:28 a.m.
Enrolled House Bill No. 6474 at 10:30 a.m.
Enrolled House Bill No. 6478 at 10:32 a.m.
Enrolled House Bill No. 6577 at 10:34 a.m.
Enrolled House Bill No. 6599 at 10:36 a.m.
Enrolled House Bill No. 6638 at 10:38 a.m.
Enrolled House Bill No. 6639 at 10:40 a.m.
Enrolled House Bill No. 6661 at 10:42 a.m.
Enrolled House Bill No. 6668 at 10:44 a.m.
Enrolled House Bill No. 4125 at 11:12 a.m.
Enrolled House Bill No. 4357 at 11:14 a.m.
Enrolled House Bill No. 4420 at 11:16 a.m.
Enrolled House Bill No. 4889 at 11:18 a.m.
Enrolled House Bill No. 5257 at 11:20 a.m.
Enrolled House Bill No. 5553 at 11:22 a.m.
Enrolled House Bill No. 5603 at 11:24 a.m.
Enrolled House Bill No. 5608 at 11:26 a.m.

Enrolled House Bill No. 5872 at 11:28 a.m.
Enrolled House Bill No. 5923 at 11:30 a.m.
Enrolled House Bill No. 6173 at 11:32 a.m.
Enrolled House Bill No. 6209 at 11:34 a.m.
Enrolled House Bill No. 6277 at 11:36 a.m.
Enrolled House Bill No. 6395 at 11:38 a.m.
Enrolled House Bill No. 6606 at 11:40 a.m.
Enrolled House Bill No. 6694 at 11:42 a.m.

Messages from the Governor

The following message from the Governor was received December 28, 2006 and read:

EXECUTIVE ORDER No. 2006 - 22

AMENDMENT OF EXECUTIVE ORDER 2006-11

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, on July 17, 2006, the Commission on Higher Education and Economic Growth in Macomb County was established by Executive Order 2006-11;

WHEREAS, the Commission continues to engage Macomb County residents in a broad-based community dialogue and assess the need for expanded post-secondary education opportunities in that county;

WHEREAS, the goals of the Commission can best be achieved by extending its reporting deadline;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order that Section I.E of Executive Order 2006-11 be amended to read as follows:

“The Commission, not later than March 31, 2007, shall complete its work and report its findings to the Governor and the State Board of Education for their consideration.”.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 28th day of December, in the year of our Lord, two thousand and six.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Date: December 19, 2006

Time: 9:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4042 (Public Act No. 456, I.E.), being

An act to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2006 PA 184.

(Filed with the Secretary of State December 20, 2006, at 4:02 p.m.)

Date: December 19, 2006
Time: 9:17 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5435 (Public Act No. 457, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 224a (MCL 750.224a), as amended by 2004 PA 338.

(Filed with the Secretary of State December 20, 2006, at 4:04 p.m.)

Date: December 19, 2006
Time: 9:19 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5492 (Public Act No. 458, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 7457 (MCL 333.7457), as added by 1988 PA 139.

(Filed with the Secretary of State December 20, 2006, at 4:06 p.m.)

Date: December 19, 2006
Time: 9:21 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6039 (Public Act No. 459, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 2511.

(Filed with the Secretary of State December 20, 2006, at 4:08 p.m.)

Date: December 19, 2006

Time: 9:23 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6318 (Public Act No. 460, I.E.), being

An act to amend 1969 PA 306, entitled “An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date,” by amending section 5 (MCL 24.205), as amended by 2004 PA 23.

(Filed with the Secretary of State December 20, 2006, at 4:10 p.m.)

Date: December 19, 2006

Time: 9:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6455 (Public Act No. 461, I.E.), being

An act to amend 1985 PA 87, entitled “An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,” by amending sections 13a, 16a, 17a, 31, 41a, 44a, 46b, 61, 76a, 78a, and 80a (MCL 780.763a, 780.766a, 780.767a, 780.781, 780.791a, 780.794a, 780.796b, 780.811, 780.826a, 780.828a, and 780.830a), sections 13a, 16a, 31, 44a, 61, and 76a as amended and sections 17a, 46b, and 80a as added by 2005 PA 184 and sections 41a and 78a as amended by 2000 PA 503, and by adding sections 2a, 18b, 31a, 45a, 61b, and 77b.

(Filed with the Secretary of State December 20, 2006, at 4:12 p.m.)

Date: December 19, 2006

Time: 9:27 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6359 (Public Act No. 462, I.E.), being

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

automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending sections 3801, 3805, 3807, 3809, 3811, 3815, 3817, 3819, 3823, 3827, 3830, 3831, 3835, 3839, 3841, and 3849 (MCL 500.3801, 500.3805, 500.3807, 500.3809, 500.3811, 500.3815, 500.3817, 500.3819, 500.3823, 500.3827, 500.3830, 500.3831, 500.3835, 500.3839, 500.3841, and 500.3849), sections 3801, 3807, 3809, 3811, 3815, and 3819 as amended and section 3830 as added by 2002 PA 304 and sections 3805, 3817, 3823, 3827, 3831, 3835, 3839, 3841, and 3849 as added by 1992 PA 84, and by adding section 3804; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 20, 2006, at 4:14 p.m.)

Date: December 19, 2006

Time: 9:29 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5580 (Public Act No. 463, I.E.), being

An act to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 24c and 24d (MCL 168.24c and 168.24d).

(Filed with the Secretary of State December 20, 2006, at 4:16 p.m.)

Date: December 19, 2006

Time: 9:31 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5885 (Public Act No. 464, I.E.), being

An act to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending sections 7b, 8, and 8a (MCL 125.37b, 125.38, and 125.38a), sections 7b and 8a as added and section 8 as amended by 2001 PA 265.

(Filed with the Secretary of State December 20, 2006, at 4:18 p.m.)

Date: December 19, 2006

Time: 9:33 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5886 (Public Act No. 465, I.E.), being

An act to amend 1959 PA 168, entitled "An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; for the regulation and subdivision of land; and to prescribe penalties and provide remedies," by amending sections 7b, 8, and 9 (MCL 125.327b, 125.328, and 125.329), section 7b as added and sections 8 and 9 as amended by 2001 PA 263.

(Filed with the Secretary of State December 20, 2006, at 4:20 p.m.)

Date: December 19, 2006

Time: 9:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5960 (Public Act No. 466, I.E.), being

An act to amend 1994 PA 451, entitled "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,” by amending section 78101 (MCL 324.78101), as amended by 2004 PA 587, and by adding section 78117.

(Filed with the Secretary of State December 20, 2006, at 4:22 p.m.)

Date: December 19, 2006

Time: 9:37 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6303 (Public Act No. 467, I.E.), being

An act to amend 1996 PA 381, entitled “An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,” by amending section 13 (MCL 125.2663), as amended by 2006 PA 32.

(Filed with the Secretary of State December 20, 2006, at 4:24 p.m.)

Date: December 19, 2006

Time: 9:39 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6580 (Public Act No. 468, I.E.), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” by amending sections 57b, 57f, and 57g (MCL 400.57b, 400.57f, and 400.57g), section 57b as amended by 1999 PA 9 and sections 57f and 57g as amended by 2001 PA 280, and by adding sections 57q, 57r, 57t, and 57u.

(Filed with the Secretary of State December 20, 2006, at 4:26 p.m.)

Date: December 19, 2006

Time: 9:41 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6587 (Public Act No. 469, I.E.), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus

and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 57e (MCL 400.57e), as amended by 2001 PA 280.

(Filed with the Secretary of State December 20, 2006, at 4:28 p.m.)

Date: December 21, 2006

Time: 1:58 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6302 (Public Act No. 478, I.E.), being

An act to amend 1999 PA 94, entitled "An act to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship board and prescribe the powers and duties of the board; and to provide for the Michigan merit award scholarship program," by amending sections 2, 6, 7, 7a, 7b, and 8 (MCL 390.1452, 390.1456, 390.1457, 390.1457a, 390.1457b, and 390.1458), sections 2, 6, and 8 as amended and sections 7a and 7b as added by 2004 PA 595 and section 7 as amended by 2006 PA 241; and to repeal acts and parts of acts.

(Filed with the Secretary of State December 21, 2006, at 4:16 p.m.)

Date: December 21, 2006

Time: 2:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6456 (Public Act No. 480, I.E.), being

An act to provide for uniform video service local franchises; to promote competition in providing video services in this state; to ensure local control of rights-of-way; to provide for fees payable to local units of government; to provide for local programming; to prescribe the powers and duties of certain state and local agencies and officials; and to provide for penalties.

(Filed with the Secretary of State December 21, 2006, at 4:20 p.m.)

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

Executive Office, Lansing, December 28, 2006

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

I have vetoed and return with my objections **Enrolled House Bill 6440**. Although the bill suffers from several legal and financial flaws, the main reason for my disapproval is that under the bill the Children's Ombudsman would be appointed by, answer to, and be subject to removal by state legislators appointed via a partisan process. Transfer of the Office of the Children's Ombudsman to the legislative branch also would strip civil service protections from the dedicated career professionals working in the Office. Moreover, further aligning the agency with one branch of state government or another could easily and unfortunately politicize investigations that ought to be pursued with one purpose: the protection of children.

Less than two years ago I signed legislation increasing the authority, autonomy, and accountability of the Office of the Children's Ombudsman. Legislative oversight was enhanced by providing for the appointment of the Children's Ombudsman with the advice and consent of the Senate. The Office was authorized to pursue all necessary action to protect the rights and welfare of a child under the jurisdiction of a court or a child welfare agency and to pursue legislative advocacy in the best interests of children. That legislation struck the right balance between legislative oversight and an agency possessing autonomy with teeth. House Bill 6440 does not. I therefore return the bill without signature.

Respectfully,
Jennifer M. Granholm
Governor

The message was referred to the Clerk.

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

November 20, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Environmental Quality, State Office of Administrative Hearings and Rules filed at 4:46 P.M. this date, administrative rule (06-11-01) for the Department Environmental Quality, Air Quality Division entitled "*Air Pollution Control – Part 8. Emission Limitations and Prohibitions – Oxides of Nitrogen*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 20, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Education, State Office of Administrative Hearings and Rules filed at 4:48 P.M. this date, administrative rule (06-11-02) for the Department Education, State Board of Education entitled "*Teacher Certification Code*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 20, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:50 P.M. this date, administrative rule (06-11-03) for the Department of Labor and Economic Growth, Director's Office entitled "*Construction Safety Standards – Part 22. Signals, Signs, Tags, and Barricades*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

November 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:20 P.M. this date, administrative rule (06-11-04) for the Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules entitled "*Hearings*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 1, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:09 P.M. this date, administrative rule (06-12-01) for the Department of Environmental Quality, Water Bureau, Entitled "*Part 21. Wastewater Discharge Permits*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 1, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:11 P.M. this date, administrative rule (06-12-02) for the Department of

Environmental Quality, Land and Water Management Division, Entitled "*Wetlands Protection*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 1, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:13 P.M. this date, administrative rule (06-12-03) for the Department of Environmental Quality, Environmental Science and Services Division, Entitled "*Clean Corporate Citizen Program*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 1, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:15 P.M. this date, administrative rule (06-12-04) for the Department of Treasury, Commissioner of the Bureau of State Lottery, Entitled "*Lottery Rules*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 1, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:18 P.M. this date, administrative rule (06-12-05) for the Department of Education, Special Education Programs and Services, Entitled "*Special Education Programs and Services*" These rules become effective on December 31, 2006.

December 1, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:20 P.M. this date, administrative rule (06-12-06) for the Department of Labor and Economic Growth, Office of Financial and Insurance Services, Entitled "*Actuarial Opinion and Memorandum Under Standard Valuation Law.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 4, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:00 P.M. this date, administrative rule (06-12-07) for the Department of Environmental Quality, Air Quality Division, Entitled "*Part 18. New Source Review for Major Source of Air Pollution.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 13, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:49 P.M. this date, administrative rule (06-12-08) for the Department of Labor and Economic Growth, Public Service Commission, Entitled "*Michigan Gas Safety Standards.*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 11, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 10:14 A.M. this date, administrative rule (06-12-09) for the Department of Environmental Quality, Environmental Science and Services Division, Entitled "*Voluntary Laboratory Recognition Program*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

December 19, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 4:44 P.M. this date, administrative rule (06-12-10) for the Department of Agriculture, Pesticide and Plant Pest Management Division, Entitled "*Regulation No. 641. Commercial Fertilizer Bulk Storage*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

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

December 1, 2006

I am pleased to submit the 2005-2006 Concealed Pistol License Annual Report as required by Public Act 372 of 1927, as amended. This report details the concealed pistol license activity between July 1, 2005 and June 30, 2006.

Sincerely,
Peter C. Munoz
Director

The communication was referred to the Clerk.

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

December 11, 2006

The Honorable Jennifer M. Granholm
Governor of Michigan
State Capitol Building
Lansing, Michigan 48909

Dear Governor Granholm:

Article XI, Section 5, of the Michigan Constitution of 1963, requires the Civil Service Commission to provide notice to the Governor of increases in rates of compensation authorized by the Commission. The purpose of this letter is to inform you of compensation increases approved by the Commission for the 2007-08 fiscal year.

The Commission adopted a Coordinated Compensation Plan for nonexclusively represented state classified employees for fiscal year 2008 on December 5, 2006. The plan covers **15,052** nonexclusively represented Business and Administrative Unit and managerial, supervisory, and confidential employees.

Three-year agreements were also approved two years ago by the Commission for employees in bargaining units represented by AFSCME, MCO, MSEA, SEIU, and the UAW for fiscal years effective 2005-06, 2006-07, and 2007-08. All of the agreements include a 2% base wage increase effective October 1, 2007 and a 2% base wage increase effective April 6, 2008. The agreement for employees represented by MSPTA includes a 2% base wage increase effective October 1, 2007, and a 1% base increase effective April 6, 2008.

The attached summary of costs associated with fiscal year 2008 pay increases was prepared by the Office of the State Employer. The total additional cost is estimated to be approximately \$109.7 million.

Please do not hesitate to contact me at (517) 373-3020, should you have any questions.

Sincerely,
James D. Farrell
State Personnel Director

The communication was referred to the Clerk.

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

December 13, 2006

Enclosed is a copy of the Bureau of Health Professions annual report required by Public Act 368 of 1978 [MCL333.16143(2)] and Public Act 79 of 1993 [MCL 333.1624(8)]. The data contained in the reports covers the time period of October 1, 2004 through September 30, 2005.

If you need additional copies of the reports, please contact Doreen Lyman at 517-373-8068.

Sincerely,
Janet Olszewski
Director

The communication was referred to the Clerk.

The following communications from the Auditor General were received and read:

December 14, 2006

Enclosed is a copy of the Comprehensive Annual Financial Report of the Bureau of State Lottery for the fiscal years ended September 30, 2006 and 2005.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Therese A. Regner, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

December 22, 2006

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of Selected General and Application Controls,
Department of Environmental Quality and Department of Information Technology
December 2006

December 28, 2006

Enclosed is a copy of the following audit report and/or report summary:
Financial audit of the Commercial Mobile Radio Service Emergency Telephone Fund,
Department of Treasury and Department of State Police,
for the period October 1, 2003 through September 30 2005

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

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

Announcements by the Clerk

December 29, 2006

Received from Lake Superior State University the financial report for the fiscal year ending June 30, 2006 which is available on their website: www.lssu.edu/busoff/financialstatements.

Gary L. Randall
Clerk of the House

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

The Honorable Craig DeRoche
Speaker of the House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Speaker:

I have the honor to inform you that the Senate has completed the business of the session and is now ready to adjourn.

Very respectfully,
Carol Morey Viventi, J.D.
Secretary of the Senate

The hour of 12:00 Noon having arrived,

Pursuant to the resolution fixing the date of final adjournment and the provision of the Constitution determining the hour of such adjournment, the Speaker Pro Tempore declared the House adjourned without day.

GARY L. RANDALL
Clerk of the House of Representatives

