

No. 21
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Tuesday, March 4, 2008.

1:30 p.m.

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

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

| | | | |
|----------------------|-----------------------|-----------------------|-----------------------|
| Accavitti—present | Dillon—present | Lahti—present | Pearce—present |
| Acciavatti—present | Donigan—present | LaJoy—present | Polidori—present |
| Agema—present | Ebli—present | Law, David—present | Proos—present |
| Amos—present | Elsenheimer—present | Law, Kathleen—present | Robertson—present |
| Angerer—present | Emmons—present | LeBlanc—present | Rocca—present |
| Ball—excused | 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—excused |
| 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. Mike Simpson, from the 65th District, offered the following invocation:

“Heavenly Father:

We are thankful for the opportunity to convene here today in order to rightly help others, near and far, in our Great State.

We are also very thankful to help create a compassionate and adaptive learning environment in a Michigan Citizenry in the midst of all our historic challenges and opportunities.

Accordingly, Dear Father, we pray for the dutiful insight which can be gleaned from the thoughts and actions of the just and wise leaders who preceded us here in this noble chamber. Finally, give us the wisdom, Heavenly Father, to draw upon the wise council of all our Representatives here in this Chamber, in order to ultimately create a better state which many of our citizens have both implored and inspired all of us to find in order to meet and conquer all the policy challenges of this unique century now upon us.

In His Name We Pray. Amen.”

Rep. Booher moved that Reps. Ball and Stahl be excused from today’s session.

The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4220, 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 2004 PA 110.

(The bill was received from the Senate on February 28, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 20, p. 367.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 125

Yeas—106

| | | | |
|------------|-------------|---------------|---------------|
| Accavitti | Donigan | Lahti | Pearce |
| Acciavatti | Ebli | LaJoy | Polidori |
| Agema | Elsenheimer | Law, David | Proos |
| Amos | Emmons | Law, Kathleen | Robertson |
| Angerer | Espinoza | LeBlanc | Rocca |
| Bauer | Farrah | Leland | Sak |
| Bennett | Gaffney | Lemmons | Schuitmaker |
| Bieda | Garfield | Lindberg | Scott |
| Booher | Gillard | Marleau | Shaffer |
| Brown | Gonzales | Mayes | Sheen |
| Byrnes | Green | McDowell | Sheltrown |
| Byrum | Griffin | Meadows | Simpson |
| Calley | Hammel | Meekhof | Smith, Alma |
| Casperson | Hammon | Meisner | Smith, Virgil |
| Caswell | Hansen | Melton | Spade |
| Caul | Hildenbrand | Miller | Stakoe |
| Cheeks | Hood | Moolenaar | Steil |
| Clack | Hoogendyk | Moore | Tobocman |
| Clemente | Hopgood | Moss | Vagnozzi |

| | | | |
|--------------|---------------|----------|-----------|
| Condino | Horn | Nitz | Valentine |
| Constan | Huizenga | Nofs | Walker |
| Corriveau | Hune | Opsommer | Ward |
| Coulouris | Jackson | Palmer | Warren |
| Cushingberry | Johnson | Palsrok | Wenke |
| Dean | Jones, Rick | Pastor | Wojno |
| DeRoche | Jones, Robert | Pavlov | Young |
| Dillon | Knollenberg | | |

Nays—2

Brandenburg Meltzer

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 5630, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30929 (MCL 324.30929), as added by 2004 PA 522.

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

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

Rep. Sheltroun 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. 5630, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30929 (MCL 324.30929), as added by 2004 PA 522.

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

Roll Call No. 126

Yeas—108

| | | | |
|-------------|-------------|---------------|-------------|
| Accavitti | Dillon | Knollenberg | Pavlov |
| Acciavatti | Donigan | Lahti | Pearce |
| Agema | Ebli | LaJoy | Polidori |
| Amos | Elsenheimer | Law, David | Proos |
| Angerer | Emmons | Law, Kathleen | Robertson |
| Bauer | Espinoza | LeBlanc | Rocca |
| Bennett | Farrah | Leland | Sak |
| Bieda | Gaffney | Lemmons | Schuitmaker |
| Booher | Garfield | Lindberg | Scott |
| Brandenburg | Gillard | Marleau | Shaffer |

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

Second Reading of Bills

House Bill No. 5589, entitled

A bill to amend 1967 PA 288, entitled “Land division act,” by amending section 182 (MCL 560.182).
The bill was read a second time.

Rep. Ebli moved to substitute (H-1) the bill.
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. Ebli moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.
Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5589, entitled

A bill to amend 1967 PA 288, entitled “Land division act,” by amending section 182 (MCL 560.182).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 127

Yeas—108

| | | | |
|------------|---------|-------------|----------|
| Accavitti | Dillon | Knollenberg | Pavlov |
| Acciavatti | Donigan | Lahti | Pearce |
| Agema | Ebli | LaJoy | Polidori |

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

Nays—0

In The Chair: Sak

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

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

A bill to amend 1967 PA 288, entitled “Land division act,” by amending sections 109 and 182 (MCL 560.109 and 560.182), section 109 as amended by 1997 PA 87.

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. 5798, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.10cc) by adding section 6r.

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

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

Rep. Young 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. 5798, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.10cc) by adding section 6r.

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

Roll Call No. 128

Yeas—108

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

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 House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Reps. Clack, Hammel, Cushingberry, Constan, Melton, Johnson, Young, Miller, Gillard, Bauer, Warren, Alma Smith, Vagnozzi, Kathleen Law, Hopgood, Bennett, Wojno, Byrnes, Donigan, Simpson, Hammon, Dean, Meadows, Ebli, Valentine, Spade, Jackson, Accavitti, Virgil Smith, Cheeks, Scott, Lemmons, Leland, Bieda, Byrum, McDowell, Lahti, Condino, Coulouris, Caul, Farrah, Robert Jones, LeBlanc, Polidori, Proos, Sak, Tobocman and Gonzales offered the following resolution:

House Resolution No. 292.

A resolution commemorating the 100th anniversary of the Alpha Kappa Alpha Sorority, Inc.

Whereas, Nine students from Howard University in Washington D.C., led by Ethel Hedgeman Lyle, met in 1908 to form an association of women students through which their talents and strengths would be organized for the mutual benefit of all; and

Whereas, On January 15, 1908, Alpha Kappa Alpha Sorority, Inc., became the world's first Greek-letter organization established by African-American women; and

Whereas, This year marks the 100th anniversary of Alpha Kappa Alpha Sorority, Inc., and

Whereas, Throughout its history, Alpha Kappa Alpha Sorority, Inc. has established programs and activities in response to changes in African-American communities and the world. They have tackled issues such as education inequities, disparate health care, civil rights, foreign affairs, and numerous social action issues; and

Whereas, Alpha Kappa Alpha Sorority, Inc., has over 200,000 members and more than 900 chapters located throughout the United States, West Africa, the Bahamas, the Virgin Islands, Japan, Korea, and Germany. Nearly 30 of these chapters are located in communities and on college and university campuses in the state of Michigan; and

Whereas, Alpha Kappa Alpha Sorority Inc. members in this state have made numerous contributions to the educational, civic, and well-being of Michigan's citizens and communities through its work on issues like economic development, community development, at-risk youth, homelessness, domestic violence, breast cancer awareness, education, personal money management, and entrepreneurship; and

Whereas, Alpha Kappa Alpha Sorority, Inc. members in this state can count among it achievements successful collaborations with organizations such as: Salvation Army, Boys and Girls Club, rescue missions, American Cancer Society, Susan G. Komen Foundation, Meals on Wheels, numerous food banks, and shelters; now, therefor, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 100th anniversary of Alpha Kappa Alpha Sorority, Inc.; and be it further

Resolved, That we honor and express sincere appreciation of Great Lakes Regional Director Schylbea J. Hopkins and the members of the Alpha Kappa Alpha Sorority, Inc., for their commitment to service in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the national headquarters for Alpha Kappa Alpha Sorority, Inc., and the Great Lakes Regional Director's office.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sak, Ebli, Accavitti, Bauer, Bieda, Booher, Brandenburg, Brown, Byrnes, Clack, Condino, Constan, Coulouris, Cushingberry, Dean, Farrah, Hammel, Hopgood, Johnson, Rick Jones, Robert Jones, LeBlanc, Lemmons, McDowell, Polidori, Sheltroun, Spade, Tobocman, Vagnozzi, Valentine, Warren, Gonzales, Kathleen Law and Meadows offered the following resolution:

House Resolution No. 293.

A resolution to urge Ohio, Wisconsin, and Pennsylvania to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact without changes.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact is a historic document that would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. The final document represents a compromise negotiated over nearly five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, The compact will not become legally binding unless the same language is approved by each Great Lakes state and the United States Congress. Minnesota, Illinois, and Indiana have already approved identical compact language. The New York State Legislature has put a bill with the same language on the governor's desk. The Pennsylvania and Ohio House of Representatives have passed bills that would enact that same language. However, the Ohio Senate and Wisconsin State Assembly have indicated that they will consider amending the compact; and

Whereas, Any changes to the compact at the state level would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives, That we urge Ohio, Wisconsin, and Pennsylvania to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact without changes; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, the Wisconsin Legislature, and the governors of Ohio, Pennsylvania, and Wisconsin.

The resolution was referred to the Committee on Great Lakes and Environment.

Rep. Kathleen Law offered the following resolution:

House Resolution No. 294.

A resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. This historic document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, Each Great Lakes state and the United States Congress must approve the same language for the compact to become legally binding. Three Great Lakes states—Minnesota, Illinois, and Indiana—have already enacted the compact as agreed to by the governors and premiers in December 2005. A fourth state—New York—has a bill with the same language waiting for the governor's signature. In addition, the Pennsylvania House of Representatives and the Ohio House of Representatives have passed bills that would enact that same language. However, the Ohio Senate and Wisconsin State Assembly have indicated that they will consider amending the compact; and

Whereas, Any changes to the compact at this late stage of the process would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives, That we urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, the Wisconsin Legislature, and the governors of Ohio, Pennsylvania, and Wisconsin.

The resolution was referred to the Committee on Great Lakes and Environment.

Reps. Ebli, Sak, Accavitti, Bauer, Bieda, Booher, Brown, Byrnes, Clack, Condino, Constan, Coulouris, Cushingberry, Dean, Farrah, Hammel, Hopgood, Johnson, Rick Jones, Robert Jones, LeBlanc, Lemmons, McDowell, Polidori, Sheltroun, Spade, Tobocman, Vagnozzi, Valentine, Warren, Gonzales, Kathleen Law and Meadows offered the following concurrent resolution:

House Concurrent Resolution No. 75.

A concurrent resolution to urge Ohio, Wisconsin, and Pennsylvania to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact without changes.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact is a historic document that would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. The final document represents a compromise negotiated over nearly five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, The compact will not become legally binding unless the same language is approved by each Great Lakes state and the United States Congress. Minnesota, Illinois, and Indiana have already approved identical compact language. The New York State Legislature has put a bill with the same language on the governor’s desk. The Pennsylvania and Ohio House of Representatives have passed bills that would enact that same language. However, the Ohio Senate and Wisconsin State Assembly have indicated that they will consider amending the compact; and

Whereas, Any changes to the compact at the state level would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge Ohio, Wisconsin, and Pennsylvania to enact the Great Lakes-St. Lawrence River Basin Water Resources Compact without changes; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, the Wisconsin Legislature, and the governors of Ohio, Pennsylvania, and Wisconsin.

The concurrent resolution was referred to the Committee on Great Lakes and Environment.

Rep. Warren offered the following concurrent resolution:

House Concurrent Resolution No. 76.

A concurrent resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. This historic document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, Each Great Lakes state and the United States Congress must approve the same language for the compact to become legally binding. Three Great Lakes states—Minnesota, Illinois, and Indiana—have already enacted the compact as agreed to by the governors and premiers in December 2005. A fourth state—New York—has a bill with the same language waiting for the governor’s signature. In addition, the Pennsylvania House of Representatives and the Ohio House of Representatives have passed bills that would enact that same language. However, the Ohio Senate and Wisconsin State Assembly have indicated that they will consider amending the compact; and

Whereas, Any changes to the compact at this late stage of the process would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, the Wisconsin Legislature, and the governors of Ohio, Pennsylvania, and Wisconsin.

The concurrent resolution was referred to the Committee on Great Lakes and Environment.

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 Friday, February 29:

| | | | | | | | | | | | | | | |
|-------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| House Bill Nos. | 5828 | 5829 | 5830 | 5831 | 5832 | 5833 | 5834 | 5835 | 5836 | 5837 | 5838 | 5839 | 5840 | 5841 |
| | 5842 | 5843 | 5844 | 5845 | 5846 | 5847 | 5848 | 5849 | 5850 | 5851 | 5852 | 5853 | 5854 | 5855 |
| | 5856 | | | | | | | | | | | | | |
| Senate Bill Nos. | 1139 | 1140 | 1141 | 1142 | 1143 | 1144 | 1145 | 1146 | 1147 | 1148 | 1149 | 1150 | 1151 | 1152 |
| | 1153 | 1154 | 1155 | 1156 | 1157 | 1158 | 1159 | 1160 | | | | | | |

The Clerk announced the enrollment printing and presentation to the Governor on Friday, February 29, for her approval of the following bills:

Enrolled House Bill No. 4650 at 9:46 a.m.

Enrolled House Bill No. 5384 at 9:48 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 3, for her approval of the following bills:

Enrolled House Bill No. 5535 at 4:34 p.m.

Enrolled House Bill No. 5536 at 4:36 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, March 4:

**Senate Bill Nos. 1168 1169 1170 1171 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181
1182 1183**

Reports of Standing Committees

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

House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40501 (MCL 324.40501), as added by 1995 PA 57.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker, Stakoe and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 4, 2008

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker, Stakoe and Horn

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrah, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, March 4, 2008

Present: Reps. Farrah, Scott, Meadows, Virgil Smith, Palsrok and Gaffney

Absent: Reps. Wojno, Marleau and Ward

Excused: Reps. Wojno, Marleau and Ward

Messages from the Senate

House Bill No. 5582, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203), as amended by 2000 PA 404.

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

The House agreed to the full title.

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

House Bill No. 5583, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 30 and 94 (MCL 207.1030 and 207.1094), section 30 as amended by 2002 PA 668.

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

The House agreed to the full title.

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

Messages from the Governor

Date: February 29, 2008

Time: 2:44 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4684 (Public Act No. 11, I.E.), being

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending sections 707, 801, 901, 906, and 1025 (MCL 436.1707, 436.1801, 436.1901, 436.1906, and 436.2025), section 906 as amended by 2000 PA 431 and section 1025 as amended by 2002 PA 725.

(Filed with the Secretary of State February 29, 2008, at 3:20 p.m.)

Date: February 29, 2008

Time: 2:46 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5032 (Public Act No. 12, I.E.), being

An act to amend 2006 PA 110, entitled "An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 102, 103, 202, 208, 301, 401, 407, 501, 601, 604, 606, and 702 (MCL 125.3102, 125.3103, 125.3202, 125.3208, 125.3301, 125.3401, 125.3407, 125.3501, 125.3601, 125.3604, 125.3606, and 125.3702), section 102 as amended by 2007 PA 219.

(Filed with the Secretary of State February 29, 2008, at 3:22 p.m.)

Date: February 29, 2008

Time: 2:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5034 (Public Act No. 13, 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 8501 (MCL 324.8501), as amended by 2006 PA 503.

(Filed with the Secretary of State February 29, 2008, at 3:24 p.m.)

Date: February 29, 2008
Time: 2:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5035 (Public Act No. 14, 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 8517 (MCL 324.8517), as added by 1998 PA 276.

(Filed with the Secretary of State February 29, 2008, at 3:26 p.m.)

Communications from State Officers

The following communication from the Department of Labor and Economic Growth was received and read:

February 26, 2008

In accordance with Section 8 of the *Michigan Employment Security Act*, being Section 421.8 of the *Michigan Compiled Laws*, the Unemployment Insurance Agency is required to report annually to the Governor and the Legislature any amount, in excess of \$1.00, that the maximum weekly unemployment benefit rate would increase if the annual increase in the United States Department of Labor’s Consumer Price Index (CPI) were applied to the maximum weekly benefit rate.

I am therefore transmitting to the Governor, and to the House and Senate for publication along with this letter in the *Journals* of their respective bodies, the enclosed report showing that since the last increase in the maximum weekly benefit rate to \$362.00, the increase in the CPI would result in an increase in the maximum weekly unemployment benefit rate to \$422.31. Using the method of applying a percentage of the state average weekly wage, the maximum weekly benefit rate would increase to \$475.62.

Respectfully submitted:

Liza Estlund Olson

Acting Director

Unemployment Insurance Agency

Department of Labor and Economic Growth

The communication was referred to the Clerk.

Introduction of Bills

Rep. Jackson introduced

House Bill No. 5857, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 3101, 3115, 3201, and 3236 (MCL 600.3101, 600.3115, 600.3201, and 600.3236), sections 3101 and 3201 as amended by 1981 PA 172, and by adding sections 3116 and 3237.

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

Reps. Clemente, Griffin, Coulouris, Robert Jones, Meisner, Pastor, Hammel, Vagnozzi and Huizenga introduced

House Bill No. 5858, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431c. The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. Meadows and Corriveau introduced

House Bill No. 5859, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9b (MCL 117.9b), as added by 1982 PA 465.

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

Reps. Bauer, Valentine, Alma Smith, Meadows, Kathleen Law and Warren introduced
House Bill No. 5860, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 4115 (MCL 289.4115).
The bill was read a first time by its title and referred to the Committee on Great Lakes and Environment.

Reps. Meadows, Alma Smith, Condino, Scott, Meisner, Coulouris, Johnson, Bauer, Warren, Constan, Vagnozzi, Brown, Polidori, Hammel, Espinoza, Accavitti, Hopgood, Sheltroun, Byrnes, Wojno, Cheeks, Miller, Lemmons, Melton, Mayes, Bennett, Gonzales, Robert Jones, Donigan, Clack, Gillard, Bieda, Simpson, Hammon, LeBlanc, Spade, Corriveau, Kathleen Law, Dean, Tobocman and Leland introduced

House Joint Resolution RR, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 31 to article VI, to clarify the circumstances under which a justice of the supreme court must disqualify himself or herself.

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

Announcements by the Clerk

February 28, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:
Financial audit of the Michigan Tobacco Settlement Finance Authority, a blended component unit of the State of Michigan, for the period October 1, 2006 through September 30, 2007.

Richard J. Brown
Clerk of the House

Rep. Moss moved that the House adjourn.
The motion prevailed, the time being 4:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 5, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

