

No. 94
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House Chamber, Lansing, Sunday, September 23, 2007.

6:00 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—excused	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—excused
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—e/d/s
Brandenburg—e/d/s	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—e/d/s
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—e/d/s
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—e/d/s	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—e/d/s	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—e/d/s
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Lorence Wenke, from the 63rd District, offered the following invocation:

“Almighty God, Father of us all, Creator of the universe and our friend.

We begin our sessions with prayer to You so that we can thank You for Your presence and acknowledge our dependence upon You.

You created this day and gave it to us as a gift to use to glorify You and for service to the people of Michigan.

We stand in awe of Your power to surround us with such beauty and give us life.

Our collective hearts go out to those who have suffered the loss of life, the loss of family, the loss of health or wealth or the loss of their spirit for living or faith in You.

In this world You allow Satan and evil to score some victories. Fifty years ago, because of racism, a few African American boys and girls needed the government to help them attend a public school.

Jessica Lunsford’s father was in this building a few months ago because his nine-year-old daughter was taken from her bed by a neighbor and abused for days before he buried her alive.

Our collective hearts cry out for justice for those who are oppressed. We ask forgiveness for our blindness to our own sins and our silence when our neighbor is not treated as we ourselves would like to be treated.

In Micah 6:8 You tell us what is required of us: that we are to act justly and to love our neighbor and to walk humbly with our God.

Bless our efforts to obey and to do good in Your name. Amen.”

Rep. Booher moved that Rep. Agema be excused from today’s session.
The motion prevailed.

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

Second Reading of Bills

House Bill No. 4668, entitled

A bill to amend 1935 PA 120, entitled “An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police,” by amending section 3 (MCL 28.273), as amended by 2004 PA 359.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Appropriations,

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

Reps. Hansen and LeBlanc moved to amend the bill as follows:

1. Amend page 2, line 13, after “(3)” by inserting “UNTIL OCTOBER 1, 2010.”.

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

Rep. LeBlanc 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. 4668, entitled

A bill to amend 1935 PA 120, entitled “An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police,” by amending section 3 (MCL 28.273), as amended by 2004 PA 359.

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

Roll Call No. 373**Yeas—94**

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

Nays—7

DeRoche	Hoogendyk	Knollenberg	Pastor
Garfield	Hune	Palmer	

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 that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5242**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills**House Bill No. 5242, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3122, 5522, 11135, 11153, 11525a, 12103, 12109, and 12112 (MCL 324.3122, 324.5522, 324.11135, 324.11153, 324.11525a,

324.12103, 324.12109, and 324.12112), section 3122 as added by 2004 PA 90, section 5522 as amended by 2005 PA 169, sections 11135, 12103, 12109, and 12112 as amended and section 11153 as added by 2001 PA 165, and section 11525a as amended by 2003 PA 153.

The bill was read a second time.

Rep. Bennett 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.

Reps. Clack and Johnson entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5242, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3122, 5522, 11135, 11153, 11525a, 12103, 12109, and 12112 (MCL 324.3122, 324.5522, 324.11135, 324.11153, 324.11525a, 324.12103, 324.12109, and 324.12112), section 3122 as added by 2004 PA 90, section 5522 as amended by 2005 PA 169, sections 11135, 12103, 12109, and 12112 as amended and section 11153 as added by 2001 PA 165, and section 11525a as amended by 2003 PA 153.

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

Roll Call No. 374

Yeas—84

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	Dillon	Jones, Robert	Pearce
Angerer	Donigan	Lahti	Polidori
Ball	Ebli	LaJoy	Proos
Bauer	Elsenheimer	Law, David	Sak
Bennett	Espinoza	Law, Kathleen	Schuitmaker
Bieda	Farrah	LeBlanc	Shaffer
Booher	Gaffney	Leland	Sheltrown
Brown	Gillard	Lemmons	Simpson
Byrnes	Gonzales	Lindberg	Smith, Alma
Byrum	Green	Mayer	Spade
Calley	Griffin	McDowell	Stakoe
Caswell	Hammel	Meadows	Steil
Cheeks	Hammon	Meisner	Tobocman
Clack	Hansen	Melton	Vagnozzi
Clemente	Hildenbrand	Miller	Valentine
Condino	Hood	Moore	Walker
Constan	Hopgood	Nitz	Ward
Corriveau	Horn	Nofs	Warren
Coulouris	Jackson	Opsommer	Wenke
Cushingberry	Johnson	Palsrok	Wojno

Nays—19

Amos	Garfield	Marleau	Palmer
Casperson	Hoogendyk	Meekhof	Pastor

Caul
DeRoche
Emmons

Huizenga
Hune
Knollenberg

Meltzer
Moolenaar
Moss

Robertson
Rocca

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 that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 4865**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

House Bill No. 4865, entitled

A bill to amend 1964 PA 265, entitled "Uniform securities act," by amending section 202 (MCL 451.602), as amended by 2003 PA 150.

The bill was read a second time.

Rep. Johnson 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. 4865, entitled

A bill to amend 1964 PA 265, entitled "Uniform securities act," by amending section 202 (MCL 451.602), as amended by 2003 PA 150.

The bill was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 375

Yeas—54

Accavitti
Angerer
Bauer
Bennett
Bieda
Brown
Byrnes
Byrum
Cheeks
Clack

Coulouris
Cushingberry
Dean
Dillon
Donigan
Espinoza
Farrah
Gillard
Gonzales
Griffin

Jackson
Johnson
Jones, Robert
Lahti
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Mayes

Melton
Miller
Polidori
Sak
Sheltrown
Simpson
Smith, Alma
Spade
Tobocman
Vagnozzi

Clemente	Hammel	McDowell	Valentine
Condino	Hammon	Meadows	Warren
Constan	Hood	Meisner	Wojno
Corriveau	Hopgood		

Nays—49

Acciavatti	Garfield	Marleau	Pavlov
Amos	Green	Meekhof	Pearce
Ball	Hansen	Meltzer	Proos
Booher	Hildenbrand	Moolenaar	Robertson
Calley	Hoogendyk	Moore	Rocca
Casperson	Horn	Moss	Schuitmaker
Caswell	Huizenga	Nitz	Shaffer
Caul	Hune	Nofs	Stakoe
DeRoche	Jones, Rick	Opsommer	Steil
Ebli	Knollenberg	Palmer	Walker
Elsenheimer	LaJoy	Palsrok	Ward
Emmons	Law, David	Pastor	Wenke
Gaffney			

In The Chair: Sak

Rep. Schuitmaker, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

It allows the administration to set the fees from this point forward without coming before this legislative body.”

Rep. Elsenheimer, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I oppose because the bill allows the administration to set its own fee schedule from this point on without further review by the legislature.”

Rep. Tobocman moved to reconsider the vote by which the House did not pass the bill.

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

The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Rep. Stahl entered the House Chambers.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that a respectful message be sent to the Senate requesting the return of **House Bill No. 5194**.

The motion prevailed.

Rep. Young entered the House Chambers.

Third Reading of Bills

The House returned to the consideration of

House Bill No. 4865, entitled

A bill to amend 1964 PA 265, entitled “Uniform securities act,” by amending section 202 (MCL 451.602), as amended by 2003 PA 150.

(The bill was considered earlier today, see today’s Journal, p. 1505.)

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

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

Roll Call No. 376

Yeas—90

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

Nays—15

Amos	Hune	Marleau	Robertson
DeRoche	Knollenberg	Meltzer	Stahl
Garfield	LaJoy	Palmer	Stakoe
Hoogendyk	Law, David	Pastor	

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 that Rule 42 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 4866**.

The motion prevailed, a majority of the members serving voting therefor.
 The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

House Bill No. 4866, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2003 PA 106.

The bill was read a second time.

Rep. Tobocman moved to substitute (H-2) the bill.
 The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.
 Rep. Johnson 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.

Reps. Brandenburg and Virgil Smith entered the House Chambers.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 4866, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2003 PA 106.

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

Roll Call No. 377

Yeas—90

Accavitti	Dean	Jones, Rick	Pearce
Acciavatti	Dillon	Jones, Robert	Polidori
Angerer	Donigan	Lahti	Proos
Ball	Ebli	Law, Kathleen	Rocca
Bauer	Elsenheimer	LeBlanc	Sak
Bennett	Emmons	Leland	Schuitmaker
Bieda	Espinoza	Lemmons	Shaffer

Booher	Farrah	Lindberg	Sheltrown
Brown	Gaffney	Mayes	Simpson
Byrnes	Gillard	McDowell	Smith, Alma
Byrum	Gonzales	Meadows	Smith, Virgil
Calley	Green	Meekhof	Spade
Casperson	Griffin	Meisner	Steil
Caswell	Hammel	Melton	Tobocman
Caul	Hammon	Miller	Vagnozzi
Cheeks	Hansen	Moolenaar	Valentine
Clack	Hildenbrand	Moore	Walker
Clemente	Hood	Nitz	Ward
Condino	Hopgood	Nofs	Warren
Constan	Horn	Opsommer	Wenke
Corriveau	Huizenga	Palsrok	Wojno
Coulouris	Jackson	Pavlov	Young
Cushingberry	Johnson		

Nays—17

Amos	Hune	Marleau	Pastor
Brandenburg	Knollenberg	Meltzer	Robertson
DeRoche	LaJoy	Moss	Stahl
Garfield	Law, David	Palmer	Stakoe
Hoogendyk			

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 that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 4842**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

House Bill No. 4842, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), sections 3 and 37 as amended by 2006 PA 645, sections 13, 15, 17, 21, 23, 25, 27, 29, 31, 38, 39, 43, and 62 as amended by 2003 PA 87, and section 28 as added by 2006 PA 490.

The bill was read a second time.

Rep. Tobocman 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. Meadows 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. 4842, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 3, 13, 15, 17, 21, 23, 25, 27, 28, 29, 31, 37, 38, 39, 43, and 62 (MCL 338.2203, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2228, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, and 338.2262), sections 3 and 37 as amended by 2006 PA 645, sections 13, 15, 17, 21, 23, 25, 27, 29, 31, 38, 39, 43, and 62 as amended by 2003 PA 87, and section 28 as added by 2006 PA 490.

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

Roll Call No. 378

Yeas—90

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

Nays—17

Amos	Hune	Marleau	Pastor
Brandenburg	Knollenberg	Meltzer	Robertson
DeRoche	LaJoy	Moss	Stahl
Garfield	Law, David	Palmer	Stakoe
Hoogendyk			

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 that the Committee on Intergovernmental, Urban and Regional Affairs be discharged from further consideration of **House Bill No. 5217**.

(For first notice see House Journal No. 93, p. 1499.)

The question being on the motion made by Rep. Tobocman,
The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

House Bill No. 5217, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2006 PA 437.

The bill was read a second time.

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

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 6, line 10, after "**BY**" by striking out "**\$1,072,665,200.00**" and inserting "**\$1,072,665,000.00**".
2. Amend page 9, line 1, after "**BY**" by striking out "**\$1,072,665,200.00**" and inserting "**\$1,072,665,000.00**".

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

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5217, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2006 PA 437.

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

Roll Call No. 379

Yeas—107

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

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

Nays—0

In The Chair: Sak

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

Rep. Sheen entered the House Chambers.

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 211**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 211, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 809 (MCL 257.809), as amended by 2005 PA 141.

The bill was read a second time.

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

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Gillard be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 211, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 809 (MCL 257.809), as amended by 2005 PA 141.

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

Roll Call No. 380

Yeas—76

Accavitti	Coulouris	Johnson	Polidori
Acciavatti	Cushingberry	Jones, Robert	Proos
Amos	Dean	Lahti	Robertson
Angerer	Dillon	LaJoy	Rocca
Bauer	Donigan	Law, Kathleen	Sak
Bennett	Ebli	Leland	Schuitmaker
Bieda	Espinoza	Lemmons	Shaffer
Brandenburg	Farrah	Lindberg	Simpson
Brown	Gaffney	Marleau	Smith, Alma
Byrum	Gonzales	McDowell	Smith, Virgil
Calley	Green	Meadows	Spade
Casperson	Griffin	Meisner	Stakoe
Caswell	Hammel	Melton	Tobocman
Cheeks	Hammon	Miller	Valentine
Clack	Hildenbrand	Moss	Walker
Clemente	Hood	Nitz	Warren
Condino	Hopgood	Nofs	Wenke
Constan	Huizenga	Pavlov	Wojno
Corriveau	Jackson	Pearce	Young

Nays—31

Ball	Hansen	Mayes	Pastor
Booher	Hoogendyk	Meekhof	Sheen
Byrnes	Horn	Meltzer	Sheltrown
Caul	Hune	Moolenaar	Stahl
DeRoche	Jones, Rick	Moore	Steil
Elsenheimer	Knollenberg	Opsommer	Vagnozzi
Emmons	Law, David	Palmer	Ward
Garfield	LeBlanc	Palsrok	

In The Chair: Sak

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 655**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 655, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 61 (MCL 169.261), as amended by 1993 PA 262.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Tobocman moved that Rep. Dillon be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 655, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 61 (MCL 169.261), as amended by 1993 PA 262.

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

Roll Call No. 381**Yeas—68**

Acciavatti	Dean	Johnson	Nitz
Angerer	DeRoche	Jones, Rick	Palmer
Bauer	Donigan	Jones, Robert	Pavlov
Bennett	Ebli	Knollenberg	Pearce
Bieda	Emmons	Lahti	Proos
Booher	Espinoza	LaJoy	Robertson
Brandenburg	Farrah	Law, David	Rocca
Brown	Gaffney	Law, Kathleen	Schuitmaker
Byrnes	Green	Leland	Shaffer
Calley	Griffin	Lemmons	Sheltrown
Casperson	Hammel	Lindberg	Smith, Alma
Caul	Hammon	Marleau	Smith, Virgil
Cheeks	Hildenbrand	McDowell	Tobocman
Clack	Hood	Meekhof	Valentine
Condino	Hopgood	Melton	Wenke
Constan	Horn	Meltzer	Wojno
Cushingberry	Huizenga	Moss	Young

Nays—38

Accavitti	Gonzales	Moolenaar	Simpson
Amos	Hansen	Moore	Spade
Ball	Hoogendyk	Nofs	Stahl
Byrum	Hune	Opsommer	Stakoe
Caswell	Jackson	Palsrok	Steil
Clemente	LeBlanc	Pastor	Vagnozzi
Corriveau	Mayes	Polidori	Walker
Coulouris	Meadows	Sak	Ward
Elsenheimer	Meisner	Sheen	Warren
Garfield	Miller		

In The Chair: Sak

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

“An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 656**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 656, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2006 PA 69.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 656, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2006 PA 69.

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

Roll Call No. 382

Yeas—56

Accavitti	Constan	Hammon	Polidori
Acciavatti	Coulouris	Hansen	Sak
Angerer	Cushingberry	Hildenbrand	Schuitmaker
Bauer	Dean	Hood	Sheltrown
Bennett	DeRoche	Huizenga	Simpson
Bieda	Donigan	Jackson	Smith, Alma
Brown	Ebli	Johnson	Smith, Virgil
Byrnes	Espinoza	Jones, Robert	Spade
Byrum	Farrah	Leland	Tobocman
Caul	Gaffney	Lemmons	Valentine
Cheeks	Gonzales	Mayer	Ward
Clack	Green	Melton	Warren
Clemente	Griffin	Miller	Wenke
Condino	Hammel	Palmer	Wojno

Nays—50

Amos	Horn	Meekhof	Pearce
Ball	Hune	Meisner	Proos
Booher	Jones, Rick	Meltzer	Robertson
Brandenburg	Knollenberg	Moolenaar	Rocca
Calley	Lahti	Moore	Shaffer
Casperson	LaJoy	Moss	Sheen
Caswell	Law, David	Nitz	Stahl
Corriveau	Law, Kathleen	Nofs	Stakoe
Elsenheimer	LeBlanc	Opsommer	Steil

Emmons
Garfield
Hoogendyk
Hopgood

Lindberg
Marleau
McDowell
Meadows

Palsrok
Pastor
Pavlov

Vagnozzi
Walker
Young

In The Chair: Sak

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”

The House agreed to the full title.

Rep. Angerer 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. Angerer moved that Rule 42 be suspended.

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

Rep. Angerer moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 657**.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 657, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 21506a (MCL 324.21506a), as amended by 2006 PA 318.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Angerer moved that Rep. Tobocman be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 657, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 21506a (MCL 324.21506a), as amended by 2006 PA 318.

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

Roll Call No. 383**Yeas—76**

Accavitti	Cushingberry	Jackson	Palmer
Acciavatti	Dean	Johnson	Pavlov
Angerer	DeRoche	Jones, Rick	Pearce
Bauer	Donigan	Jones, Robert	Polidori
Bennett	Ebli	Lahti	Rocca
Bieda	Espinoza	LaJoy	Sak
Booher	Farrah	Law, David	Shaffer
Brown	Gaffney	Law, Kathleen	Sheltrown
Byrnes	Garfield	LeBlanc	Simpson
Byrum	Gonzales	Leland	Smith, Alma
Calley	Green	Lemmons	Smith, Virgil
Caul	Griffin	Lindberg	Spade
Cheeks	Hammel	Mayes	Steil
Clack	Hammon	McDowell	Vagnozzi
Clemente	Hansen	Meadows	Valentine
Condino	Hildenbrand	Meisner	Warren
Constan	Hood	Melton	Wenke
Corriveau	Hopgood	Meltzer	Wojno
Coulouris	Huizenga	Miller	Young

Nays—29

Amos	Horn	Moss	Robertson
Ball	Hune	Nitz	Schuitmaker
Brandenburg	Knollenberg	Nofs	Sheen
Casperson	Marleau	Opsommer	Stahl
Caswell	Meekhof	Palsrok	Stakoe
Elsenheimer	Moolenaar	Pastor	Walker
Emmons	Moore	Proos	Ward
Hoogendyk			

In The Chair: Sak

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Angerer 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. Angerer moved that Rule 42 be suspended.

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

Rep. Angerer moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 676**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Senate Bill No. 676, entitled

A bill to amend 1976 PA 295, entitled “State transportation preservation act of 1976,” by amending section 17a (MCL 474.67a), as added by 2001 PA 126.

The bill was read a second time.

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

The motion prevailed.

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

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



Rep. Hood moved that Rep. Meadows be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 676, entitled

A bill to amend 1976 PA 295, entitled “State transportation preservation act of 1976,” by amending section 17a (MCL 474.67a), as added by 2001 PA 126.

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

Roll Call No. 384

Yeas—85

Accavitti	Cushingberry	Jones, Rick	Pearce
Acciavatti	Dean	Jones, Robert	Polidori
Angerer	Donigan	LaJoy	Proos
Ball	Ebli	Law, David	Rocca
Bauer	Emmons	Law, Kathleen	Sak
Bennett	Espinoza	LeBlanc	Schuitmaker
Bieda	Farrah	Leland	Shaffer
Booher	Gaffney	Lemmons	Sheltrown
Brandenburg	Garfield	Marleau	Simpson
Brown	Gonzales	Mayes	Smith, Alma
Byrnes	Green	Meisner	Smith, Virgil
Byrum	Griffin	Melton	Spade
Calley	Hammel	Meltzer	Stakoe
Caswell	Hammon	Miller	Steil
Caul	Hansen	Moore	Vagnozzi
Cheeks	Hildenbrand	Moss	Valentine
Clack	Hood	Nitz	Ward
Clemente	Hopgood	Nofs	Warren
Condino	Huizenga	Palmer	Wenke
Constan	Jackson	Palsrok	Wojno
Corriveau	Johnson	Pavlov	Young
Coulouris			

Nays—19

Amos	Horn	McDowell	Robertson
Casperson	Hune	Meekhof	Sheen
DeRoche	Knollenberg	Moolenaar	Stahl
Elsenheimer	Lahti	Opsommer	Walker
Hoogendyk	Lindberg	Pastor	

In The Chair: Sak

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

“An act to improve and maintain transportation services in this state; to provide for the acquisition and use of funds; to provide for the acquisition of certain railroad facilities and certain property; to provide for the disposition and use of facilities and property acquired under this act; to provide for financial assistance to certain private transportation services; to prescribe the powers and duties of certain state departments and agencies; to provide for the transfer of certain funds; to provide for the creation of certain funds; and to provide for appropriations.”

The House agreed to the full title.

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

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

Rep. Hune moved that Reps. Ward and Gaffney be excused temporarily from today’s session.

The motion prevailed.

Senate Bill No. 210, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 806 (MCL 257.806), as amended by 2006 PA 526.

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

Roll Call No. 385**Yeas—56**

Accavitti	Coulouris	Hood	Proos
Acciavatti	Cushingberry	Hopgood	Schuitmaker
Amos	Dean	Huizenga	Shaffer
Bieda	DeRoche	Jackson	Simpson
Booher	Donigan	Johnson	Smith, Alma
Brandenburg	Ebli	Jones, Robert	Smith, Virgil
Brown	Emmons	Lahti	Spade
Casperson	Espinoza	Law, Kathleen	Stakoe
Caswell	Farrah	Leland	Steil
Cheeks	Gonzales	Lemmons	Tobocman
Clack	Green	Meekhof	Valentine
Clemente	Hammel	Nitz	Wenke
Condino	Hammon	Pavlov	Wojno
Corriveau	Hildenbrand	Polidori	Young

Nays—48

Angerer	Hansen	McDowell	Palsrok
Ball	Hoogendyk	Meadows	Pastor

Bauer	Horn	Meisner	Pearce
Bennett	Hune	Melton	Robertson
Byrnes	Jones, Rick	Meltzer	Rocca
Byrum	Knollenberg	Miller	Sak
Calley	LaJoy	Moolenaar	Sheen
Caul	Law, David	Moore	Sheltrown
Constan	LeBlanc	Moss	Stahl
Elsenheimer	Lindberg	Nofs	Vagnozzi
Garfield	Marleau	Opsommer	Walker
Griffin	Mayes	Palmer	Warren

In The Chair: Sak

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5194, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 30, 51, 261, 266, and 270 (MCL 206.30, 206.51, 206.261, 206.266, and 206.270), section 30 as amended by 2005 PA 214, section 51 as amended by 1999 PA 6, section 261 as amended by 2000 PA 195, section 266 as amended by 2006 PA 52, and section 270 as amended by 2005 PA 234; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending sections 30, 261, 266, and 270 (MCL 206.30, 206.261, 206.266, and 206.270), section 30 as amended by 2005 PA 214, section 261 as amended by 2000 PA 195, section 266 as amended by 2006 PA 52, and section 270 as amended by 2005 PA 234.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 386**Yeas—0****Nays—108**

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

In The Chair: Sak

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bills had been received on Sunday, September 23:

Senate Bill Nos. 237 511 622**Messages from the Senate****Senate Bill No. 237, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 6a, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1606a, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1676, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 as amended by 2007 PA 6, sections 6, 11a, 11f, 11k, 15, 18, 20, 20j, 22d,

24, 26a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 94a, 98, 99, and 107 as amended and sections 11m, 24a, 24c, 32b, 64, 99e, and 104 as added by 2006 PA 342, section 6a as amended by 1997 PA 93, section 8b as amended by 2003 PA 158, section 19 as amended by 2005 PA 155, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding section 32n; and to repeal acts and parts of acts.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Tobocman moved that Rules 41 and 42 be suspended.

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

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 237, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 6a, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1606a, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1676, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 as amended by 2007 PA 6, sections 6, 11a, 11f, 11k, 15, 18, 20, 20j, 22d, 24, 26a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 94a, 98, 99, and 107 as amended and sections 11m, 24a, 24c, 32b, 64, 99e, and 104 as added by 2006 PA 342, section 6a as amended by 1997 PA 93, section 8b as amended by 2003 PA 158, section 19 as amended by 2005 PA 155, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding section 32n; and to repeal acts and parts of acts.

The bill was read a second time.

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

The question being on the motion made by Rep. Tobocman,

Rep. Tobocman demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Tobocman,

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 387

Yeas—30

Acciavatti	Emmons	Meltzer	Robertson
Amos	Garfield	Nitz	Shaffer
Ball	Hildenbrand	Palmer	Sheen
Brandenburg	Hoogendyk	Palsrok	Stahl
Calley	Huizenga	Pastor	Stakoe
Caswell	Hune	Pavlov	Steil
DeRoche	Marleau	Proos	Ward
Elsenheimer	Meekhof		

Nays—78

Accavitti	Dillon	Knollenberg	Opsommer
Angerer	Donigan	Lahti	Pearce
Bauer	Ebli	LaJoy	Polidori
Bennett	Espinoza	Law, David	Rocca
Bieda	Farrah	Law, Kathleen	Sak

Booher	Gaffney	LeBlanc	Schuitmaker
Brown	Gillard	Leland	Sheltrown
Byrnes	Gonzales	Lemmons	Simpson
Byrum	Green	Lindberg	Smith, Alma
Casperson	Griffin	Mayes	Smith, Virgil
Caul	Hammel	McDowell	Spade
Cheeks	Hammon	Meadows	Tobocman
Clack	Hansen	Meisner	Vagnozzi
Clemente	Hood	Melton	Valentine
Condino	Hopgood	Miller	Walker
Constan	Horn	Moolenaar	Warren
Corriveau	Jackson	Moore	Wenke
Coulouris	Johnson	Moss	Wojno
Cushingberry	Jones, Rick	Nofs	Young
Dean	Jones, Robert		

In The Chair: Sak

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

Senate Bill No. 511, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Tobocman moved that Rules 41 and 42 be suspended.

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

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 511, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The bill was read a second time.

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

The question being on the motion made by Rep. Tobocman,

Rep. Tobocman demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Tobocman,

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 388

Yeas—42

Acciavatti	Green	Moss	Rocca
Amos	Hansen	Nitz	Schuitmaker
Booher	Hildenbrand	Opsommer	Shaffer
Brandenburg	Hoogendyk	Palmer	Sheen
Calley	Huizenga	Palsrok	Stahl
Caswell	Hune	Pastor	Stakoe

DeRoche	Jones, Rick	Pavlov	Steil
Elsenheimer	Knollenberg	Pearce	Walker
Emmons	Marleau	Proos	Ward
Gaffney	Meekhof	Robertson	Wenke
Garfield	Meltzer		

Nays—66

Accavitti	Coulouris	Johnson	Moolenaar
Angerer	Cushingberry	Jones, Robert	Moore
Ball	Dean	Lahti	Nofs
Bauer	Dillon	LaJoy	Polidori
Bennett	Donigan	Law, David	Sak
Bieda	Ebli	Law, Kathleen	Sheltrown
Brown	Espinoza	LeBlanc	Simpson
Byrnes	Farrah	Leland	Smith, Alma
Byrum	Gillard	Lemmons	Smith, Virgil
Casperson	Gonzales	Lindberg	Spade
Caul	Griffin	Mayes	Tobocman
Cheeks	Hammel	McDowell	Vagnozzi
Clack	Hammon	Meadows	Valentine
Clemente	Hood	Meisner	Warren
Condino	Hopgood	Melton	Wojno
Constan	Horn	Miller	Young
Corriveau	Jackson		

In The Chair: Sak

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5104, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 201 (MCL 208.1201).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Bieda moved to substitute (H-6) the bill.

The motion was seconded and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

Rep. Bieda moved to amend the bill as follows:

1. Amend page 5, following line 25, by inserting:

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 5194 of the 94th Legislature is enacted into law.”.

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

The question being on the passage of the bill,

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

Roll Call No. 389**Yeas—108**

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Amos	Ebli	LaJoy	Polidori
Angerer	Elsenheimer	Law, David	Proos
Ball	Emmons	Law, Kathleen	Robertson

Bauer	Espinoza	LeBlanc	Rocca
Bennett	Farrah	Leland	Sak
Bieda	Gaffney	Lemmons	Schuitmaker
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
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 that when the House adjourns today it stand adjourned until Monday, September 24, at 3:00 p.m.
The motion prevailed.

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, September 21:

House Bill Nos.	5259	5260			
Senate Bill Nos.	794	795	796	797	798

Messages from the Senate

House Bill No. 4799, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2006 PA 158.

The Senate has amended the bill as follows:

1. Amend page 1, line 6, by striking out all of line 6 through "PARTIES" on line 8 and inserting "OR IS HIRED AS AN INDEPENDENT CONTRACTOR BY A REPORTING UNIT".

2. Amend page 2, line 16, after “(b)” by striking out the balance of the line through “**THE**” on line 17 and inserting “The”.

3. Amend page 2, line 25, by striking out all of line 25 through line 3 of page 3 and inserting:

“(C) **THE RETIRANT SHALL CERTIFY THAT THE HOSPITAL, MEDICAL-SURGICAL, AND SICK CARE BENEFITS PLAN, DENTAL PLAN, VISION PLAN, AND HEARING PLAN, AS APPLICABLE, THAT COVERS RETIRANTS, RETIREMENT ALLOWANCE BENEFICIARIES, AND HEALTH INSURANCE DEPENDENTS CONTAINS A COORDINATION OF BENEFITS PROVISION SO THAT THE PLAN IS COORDINATED WITH ALL OTHER PLANS AVAILABLE TO THE RETIRANT UNDER SECTION 91.**” and renumbering the remaining subsection.

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

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

Senate Bill No. 622, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 1003 (MCL 330.2003), as amended by 1993 PA 252.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4797**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4798**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 546**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 547**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4975**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4976**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 5167**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 5006**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4600**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 4601**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Military and Veterans Affairs and Homeland Security from further consideration of **House Bill No. 4977**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Bill No. 5005**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4542**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Commerce from further consideration of **House Bill No. 4901**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 4389**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 4882**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5096**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5097**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 772**.

Rep. Acciavatti

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 773**.

Rep. Acciavatti

Announcements by the Clerk

September 20, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:

Follow-up of the performance audit of the Michigan Educational Assessment Program, Department of Education and Department of Treasury, September 2007.

Richard J. Brown
Clerk of the House

Rep. Clemente moved that the House adjourn.
The motion prevailed, the time being 11:59 p.m.

The Speaker Pro Tempore declared the House adjourned until Monday, September 24, at 3:00 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

