

**No. 27**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Wednesday, March 15, 2006.

1:00 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	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—excused	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsey—present	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—e/d/s	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—present	Green—present	Miller—present	Stakoe—present
Brown—present	Hansen—present	Moolenaar—present	Steil—present
Byrnes—present	Hildenbrand—present	Moore—present	Stewart—present
Byrum—present	Hood—present	Mortimer—present	Taub—present
Casperson—present	Hoogendyk—present	Murphy—present	Tobocman—present
Caswell—present	Hopgood—present	Newell—present	Vagnozzi—present
Caul—present	Huizenga—present	Nitz—present	Van Regenmorter—present
Cheeks—present	Hummel—present	Nofs—present	Vander Veen—excused
Clack—present	Hune—present	Palmer—present	Walker—present
Clemente—present	Hunter—present	Palsrok—present	Ward—present
Condino—present	Jones—present	Pastor—present	Waters—present
Cushingberry—present	Kahn—present	Pavlov—present	Wenke—present
DeRoche—present	Kolb—present	Pearce—present	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present

e/d/s = entered during session

Rep. Goeff Hansen, from the 100th District, offered the following invocation:

“Almighty God, through whom we live and move and have our being, hear us as we pray.

You have made the earth and all its people and You have showered us with every blessing imaginable. With grateful hearts we thank You for this beautiful state of lakes and trees and cities, of hills and valleys, of outstanding institutions, of factories and schools, of farms, stores, and churches. Thank You for the home we call Michigan.

You have given us this new day that we might use it to do the work of the people, so be beside us today as we make decisions and as we endeavor to do what is right in each situation. May we be the voice of each man, woman, boy, and girl in our districts and throughout the state, as we speak, act and vote on their behalf.

We pray that we might always serve You by serving our fellow citizens, and we give You thanks for putting us in this place of service. In the name of our Savior, Amen.”

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The Speaker Pro Tempore called Associate Speaker Pro Tempore Elsenheimer to the Chair.

Rep. Sak moved that Rep. Lemmons, III be excused from today’s session.  
The motion prevailed.

Rep. Palmer moved that Rep. Vander Veen be excused from today’s session.  
The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 242, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Hummel moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Ward 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**

Pending the Third Reading of

#### **Senate Bill No. 242, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

The motion prevailed.

### **Second Reading of Bills**

#### **House Bill No. 5490, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 4703, 4704, 4705, and 4708 (MCL 600.4703, 600.4704, 600.4705, and 600.4708), as added by 1988 PA 104.

The bill was read a second time.

Rep. Condino moved to amend the bill as follows:

1. Amend page 9, following line 7, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law and takes effect.”.

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

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

The motion prevailed.

**House Bill No. 5823, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 49, 159j, and 535a (MCL 750.49, 750.159j, and 750.535a), section 49 as amended by 1998 PA 38, section 159j as added by 1995 PA 187, and section 535a as amended by 1999 PA 185.

The bill was read a second time.

Rep. Condino moved to amend the bill as follows:

1. Amend page 19, following line 5, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law.”.

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

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

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 Wednesday, March 15:

<b>House Bill Nos.</b>	<b>5852</b>	<b>5853</b>	<b>5854</b>	<b>5855</b>	<b>5856</b>	<b>5857</b>	<b>5858</b>	<b>5859</b>	<b>5860</b>	<b>5861</b>	<b>5862</b>	<b>5863</b>	<b>5864</b>	<b>5865</b>
	<b>5866</b>	<b>5867</b>	<b>5868</b>	<b>5869</b>	<b>5870</b>	<b>5871</b>								
<b>Senate Bill Nos.</b>	<b>1131</b>	<b>1132</b>	<b>1133</b>	<b>1134</b>	<b>1135</b>	<b>1136</b>	<b>1137</b>	<b>1138</b>	<b>1139</b>	<b>1140</b>	<b>1141</b>	<b>1142</b>	<b>1143</b>	<b>1144</b>
	<b>1145</b>	<b>1146</b>	<b>1147</b>											

The Clerk announced that the following Senate bill had been received on Wednesday, March 15:

**Senate Bill No. 969**

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

**House Bill No. 5852, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” (MCL 168.1 to 168.992) by adding section 634a.

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. Ward, Elsenheimer and Gaffney

Nays: Reps. Meisner and Gillard

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ward, Chair, of the Committee on House Oversight, Elections, and Ethics, was received and read:

Meeting held on: Wednesday, March 15, 2006

Present: Reps. Ward, Elsenheimer, Gaffney, Meisner and Gillard

Rep. Waters moved that Rep. Leland be excused temporarily from today's session.  
The motion prevailed.

### Second Reading of Bills

#### House Bill No. 5852, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 634a.  
The bill was read a second time.

Rep. Byrnes moved to amend the bill as follows:

1. Amend page 3, following line 1, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4093 of the 93rd Legislature is enacted into law and takes effect."

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

Rep. Vagnozzi moved to amend the bill as follows:

1. Amend page 3, following line 1, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4158 of the 93rd Legislature is enacted into law and takes effect."

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

Rep. Vagnozzi demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 192

#### Yeas—47

Accavitti	Condino	Kolb	Sheltrown
Adamini	Cushingberry	Law, Kathleen	Smith, Alma
Anderson	Dillon	Lemmons, Jr.	Smith, Virgil
Angerer	Donigan	Lipsey	Spade
Bennett	Espinoza	Mayes	Tobocman
Bieda	Farrah	McDowell	Vagnozzi
Brown	Gillard	Meisner	Waters
Byrnes	Gleason	Miller	Whitmer
Byrum	Gonzales	Murphy	Williams
Cheeks	Hood	Plakas	Wojno
Clack	Hopgood	Polidori	Zelenko
Clemente	Hunter	Sak	

#### Nays—57

Acciavatti	Garfield	Marleau	Robertson
Amos	Gosselin	Meyer	Rocca
Ball	Green	Moolenaar	Schuitmaker
Baxter	Hansen	Moore	Shaffer
Booher	Hildenbrand	Mortimer	Sheen
Brandenburg	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil

Caul	Hune	Palmer	Stewart
DeRoche	Jones	Palsrok	Taub
Drolet	Kahn	Pastor	Van Regenmorter
Elsenheimer	Kooiman	Pavlov	Walker
Emmons	LaJoy	Pearce	Ward
Farhat	Law, David	Proos	Wenke
Gaffney			

In The Chair: Elsenheimer

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

**House Bill No. 5824, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523 (MCL 333.7523), as amended by 1990 PA 336.

The bill was read a second time.

Rep. Condino moved to amend the bill as follows:

1. Amend page 5, following line 8, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law."

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

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

The motion prevailed.

**Senate Bill No. 506, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2004 PA 142, and by adding section 3109c.

The bill was read a second time.

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

The motion prevailed.

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The Speaker Pro Tempore resumed the Chair.

**House Bill No. 5181, entitled**

A bill to create a commission to investigate alternative fuels; to define certain alternative fuels; to determine certain powers and duties of the commission; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. McDowell moved to amend the bill as follows:

1. Amend page 2, line 22, after "fuels" by inserting "including biomass or alternative fuels created through the utilization of forest products or forest residue".

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

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

The motion prevailed.

**House Bill No. 5751, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Nitz moved to substitute (H-3) the bill.

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

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

The motion prevailed.

**House Bill No. 5752, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2004 PA 430, and section 8 as amended by 2003 PA 266, and by adding section 8e.

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

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 8, following line 6, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law and takes effect."

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

The House returned to the consideration of

**House Bill No. 5751, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

(The bill was considered earlier today, see today's Journal, p. 520.)

Rep. Ward moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

**Second Reading of Bills****House Bill No. 5751, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

Rep. Kathleen Law moved to amend the bill as follows:

1. Amend page 4, following line 19, by inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 5119 of the 93rd Legislature is enacted into law."

The question being on the adoption of the amendment offered by Rep. Kathleen Law,

Rep. Kathleen Law demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Kathleen Law,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 193****Yeas—48**

Accavitti  
Adamini

Condino  
Cushingberry

Kolb  
Law, Kathleen

Sak  
Sheltrown

Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Smith, Virgil
Bennett	Espinoza	Lipsey	Spade
Bieda	Farrah	Mayes	Tobocman
Brown	Gillard	McDowell	Vagnozzi
Byrnes	Gleason	Meisner	Waters
Byrum	Gonzales	Miller	Whitmer
Cheeks	Hood	Murphy	Williams
Clack	Hopgood	Plakas	Wojno
Clemente	Hunter	Polidori	Zelenko

**Nays—57**

Acciavatti	Garfield	Marleau	Robertson
Amos	Gosselin	Meyer	Rocca
Ball	Green	Moolenaar	Schuitmaker
Baxter	Hansen	Moore	Shaffer
Booher	Hildenbrand	Mortimer	Sheen
Brandenburg	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
DeRoche	Jones	Palsrok	Taub
Drolet	Kahn	Pastor	Van Regenmorter
Elsenheimer	Kooiman	Pavlov	Walker
Emmons	LaJoy	Pearce	Ward
Farhat	Law, David	Proos	Wenke
Gaffney			

In The Chair: Kooiman

Rep. Condino moved to amend the bill as follows:

1. Amend page 4, following line 19, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5120 of the 93rd Legislature is enacted into law.”.

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

Rep. Condino demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 194****Yeas—48**

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Law, Kathleen	Sheltrown
Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Smith, Virgil
Bennett	Espinoza	Lipsey	Spade
Bieda	Farrah	Mayes	Tobocman
Brown	Gillard	McDowell	Vagnozzi
Byrnes	Gleason	Meisner	Waters
Byrum	Gonzales	Miller	Whitmer
Cheeks	Hood	Murphy	Williams
Clack	Hopgood	Plakas	Wojno
Clemente	Hunter	Polidori	Zelenko

**Nays—57**

Acciavatti	Garfield	Marleau	Robertson
Amos	Gosselin	Meyer	Rocca
Ball	Green	Moolenaar	Schuitmaker
Baxter	Hansen	Moore	Shaffer
Booher	Hildenbrand	Mortimer	Sheen
Brandenburg	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
DeRoche	Jones	Palsrok	Taub
Drolet	Kahn	Pastor	Van Regenmorter
Elsenheimer	Kooiman	Pavlov	Walker
Emmons	LaJoy	Pearce	Ward
Farhat	Law, David	Proos	Wenke
Gaffney			

In The Chair: Kooiman

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

**House Bill No. 5753, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 213 (MCL 18.1213).  
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture,

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

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

The motion prevailed.

**House Bill No. 5754, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 78.  
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Nitz 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. Bieda moved to amend the bill as follows:

1. Amend page 4, following line 2, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4235 of the 93rd Legislature is enacted into law.”.

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

Rep. Bieda demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 195****Yeas—47**

Accavitti	Condino	Kolb	Sheltrown
Adamini	Cushingberry	Law, Kathleen	Smith, Alma



Anderson	Dillon	Leland	Smith, Virgil
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	McDowell	Vagnozzi
Brown	Gillard	Meisner	Waters
Byrnes	Gleason	Miller	Whitmer
Byrum	Gonzales	Murphy	Williams
Cheeks	Hood	Plakas	Wojno
Clack	Hopgood	Polidori	Zelenko
Clemente	Hunter	Sak	

### Nays—58

Acciavatti	Garfield	Mayes	Robertson
Amos	Gosselin	Meyer	Rocca
Ball	Green	Moolenaar	Schuitmaker
Baxter	Hansen	Moore	Shaffer
Booher	Hildenbrand	Mortimer	Sheen
Brandenburg	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
DeRoche	Jones	Palsrok	Taub
Drolet	Kahn	Pastor	Van Regenmorter
Elsenheimer	Kooiman	Pavlov	Walker
Emmons	LaJoy	Pearce	Ward
Farhat	Law, David	Proos	Wenke
Gaffney	Marleau		

In The Chair: Kooiman

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

#### House Bill No. 5755, entitled

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending sections 2, 3, 4a, 5, 6, and 7 (MCL 290.642, 290.643, 290.644a, 290.645, 290.646, and 290.647), sections 2 and 7 as amended by 1993 PA 236, sections 3 and 5 as amended by 2002 PA 13, section 4a as amended by 2002 PA 425, and section 6 as amended by 2004 PA 278.

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

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 18, following line 10, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law and takes effect.”.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5325, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21529.

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

**Roll Call No. 196****Yeas—101**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheltrown
Ball	Gillard	Mayes	Smith, Alma
Baxter	Gleason	McDowell	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Brown	Hildenbrand	Mortimer	Stewart
Byrnes	Hood	Murphy	Taub
Byrum	Hoogendyk	Newell	Tobocman
Casperson	Hopgood	Nitz	Vagnozzi
Caswell	Huizenga	Nofs	Van Regenmorter
Caul	Hummel	Palmer	Walker
Cheeks	Hune	Palsrok	Ward
Clack	Hunter	Pastor	Waters
Clemente	Jones	Pavlov	Wenke
Condino	Kahn	Pearce	Whitmer
Cushingberry	Kolb	Plakas	Williams
DeRoche	Kooiman	Polidori	Wojno
Dillon	LaJoy	Proos	Zelenko
Donigan			

**Nays—3**

Drolet	Garfield	Sheen
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In The Chair: Kooiman

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

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

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21529; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Reps. Anderson, Zelenko, Kolb, Lipsey, Kooiman, Meyer, Newell, Williams, Adamini, Brown, Hopgood, Kathleen Law, Vagnozzi, Taub, Accavitti, Gleason, Nofs, Emmons, Sak, Stahl, Moolenaar, Palsrok, Gillard, Angerer, Ball, Booher, Caul, Espinoza, Gonzales, Hansen, Jones, Kahn, David Law, Lemmons, Jr., Marleau, Mayes, McDowell, Moore, Mortimer, Pearce, Polidori, Proos, Rocca, Sheltrown, Alma Smith, Spade and Murphy were named co-sponsors of the bill.

**Senate Bill No. 477, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 18 (MCL 169.218), as added by 1999 PA 238.

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

**Roll Call No. 197****Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
Cushingberry	Kahn	Pearce	Whitmer
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

**Nays—0**

In The Chair: Kooiman

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. Waters moved that the bill be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

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

Rep. Ward moved that consideration of the motion be postponed temporarily.

The motion prevailed.

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Rep. Ward moved that Rep. DeRoche be excused temporarily from today's session.

The motion prevailed.



**Roll Call No. 199****Yeas—103**

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lemmons, Jr.	Schuitmaker
Amos	Farrah	Lipsey	Shaffer
Anderson	Gaffney	Marleau	Sheen
Angerer	Garfield	Mayer	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
Cushingberry	Kahn	Pearce	Whitmer
Dillon	Kolb	Plakas	Williams
Donigan	Kooiman	Polidori	Wojno
Drolet	LaJoy	Proos	Zelenko
Elsenheimer	Law, David	Robertson	

**Nays—0**

In The Chair: Kooiman

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16337, 17001, 17008, 17025, 17066, 17074, 17078, 17501, 17508, 18001, 18011, and 18021 (MCL 333.16337, 333.17001, 333.17008, 333.17025, 333.17066, 333.17074, 333.17078, 333.17501, 333.17508, 333.18001, 333.18011, and 333.18021), section 16337 as added by 1993 PA 79, sections 17001 and 17501 as amended by 2005 PA 264, section 17025 as amended by 1980 PA 146, sections 17066, 17074, and 17078 as amended by 1990 PA 247, and section 18021 as amended by 1993 PA 79, and by adding sections 18008, 18048, 18049, 18050, 18054, 18056, and 18058; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Adamini moved that Rep. Brown be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 5813, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2005 PA 71.

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

**Roll Call No. 200****Yeas—103**

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lemmons, Jr.	Schuitmaker
Amos	Farrah	Lipsey	Shaffer
Anderson	Gaffney	Marleau	Sheen
Angerer	Garfield	Mayes	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
Cushingberry	Kahn	Pearce	Whitmer
Dillon	Kolb	Plakas	Williams
Donigan	Kooiman	Polidori	Wojno
Drolet	LaJoy	Proos	Zelenko
Elsenheimer	Law, David	Robertson	

**Nays—0**

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Brown, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 200. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Speaker laid before the House

**House Resolution No. 67.**

A resolution to memorialize the Congress of the United States to encourage expansion of existing, or the construction of new petroleum refineries in the United States and to urge the leaders of the petroleum industry to construct new refineries to meet our increasing energy needs.

(For text of resolution, see House Journal No. 36 of 2005, p. 550.)

(The resolution was reported by the Committee on Energy and Technology on November 9, with substitute (H-2), consideration of which, under the rules, was postponed until November 10.)

(For substitute, see House Journal No. 98 of 2005, p. 2163.)

The question being on the adoption of the proposed substitute (H-2) recommended by the Committee,

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

The question being on the adoption of the resolution,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

**Roll Call No. 201**

**Yeas—99**

Accavitti	Drolet	LaJoy	Robertson
Acciavatti	Elsenheimer	Law, David	Rocca
Adamini	Emmons	Leland	Sak
Amos	Espinoza	Lemmons, Jr.	Schuitmaker
Anderson	Farhat	Lipsey	Shaffer
Angerer	Farrah	Marleau	Sheen
Ball	Gaffney	Mayes	Sheltrown
Baxter	Garfield	McDowell	Smith, Virgil
Bennett	Gillard	Meyer	Spade
Bieda	Gleason	Miller	Stahl
Booher	Gonzales	Moolenaar	Stakoe
Brandenburg	Gosselin	Moore	Steil
Brown	Green	Mortimer	Stewart
Byrnes	Hansen	Murphy	Taub
Byrum	Hildenbrand	Newell	Vagnozzi
Casperson	Hood	Nitz	Van Regenmorter
Caswell	Hoogendyk	Nofs	Walker
Caul	Hopgood	Palmer	Ward
Cheeks	Huizenga	Palsrok	Waters
Clack	Hummel	Pastor	Wenke
Clemente	Hune	Pavlov	Whitmer
Condino	Hunter	Pearce	Williams
Cushingberry	Jones	Plakas	Wojno
Dillon	Kahn	Polidori	Zelenko
Donigan	Kooiman	Proos	

**Nays—5**

Kolb	Meisner	Smith, Alma	Tobocman
Law, Kathleen			

In The Chair: Kooiman

Rep. McConico entered the House Chambers.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Lemmons, III, Lemmons, Jr., Farrah, Cushingberry, Gillard, Lipsey, Miller and Polidori offered the following resolution:

#### **House Resolution No. 214.**

A resolution expressing opposition to a recent *Detroit News* editor's opinion piece labeling all Palestinians as terrorists. Whereas, The February 5, 2006, edition of the *Detroit News* included a piece written by Nolan Finley, the paper's editorial page editor, that labels all Palestinians as terrorists; and

Whereas, Mr. Finley's article states that the "Palestinians' lust for Jewish blood is stronger than their desire for peace" and makes other similar statements that reflect a misguided and malicious view of all Palestinians; and

Whereas, Mr. Finley categorically states, "Terrorism is the history of the Palestinian people," with no regard for their rightful place in history dating back to the Old Testament; and

Whereas, The column has caused serious concern and considerable fear within the metro Detroit and Michigan Arab community that the blanket statements will generate a backlash of violence aimed at Arabs in general and Palestinians in particular in their homes, workplaces, schools, churches, and mosques; and

Whereas, The piece did not even make a perfunctory effort to achieve balance; and

Whereas, The blanket condemnation of Palestinians does nothing to bring reason or even tolerance to an admittedly difficult global situation. Instead, this hate-filled article only serves to fan the flames of intolerance and bigotry and further threaten hopes for peace and stability; and

Whereas, A state that prides itself on the diversity of its people should speak out against statements that foster hatred and intolerance; now, therefore, be it

Resolved by the House of Representatives, That we express our opposition to the February 5, 2006, column written by Nolan Finley in the *Detroit News* that labeled Palestinians as terrorists and urge that the *Detroit News* and Mr. Finley apologize to Michigan's citizens for attempting to create wedges of hate among them by singling out one ethnicity for malicious statements; and be it further

Resolved, That copies of this resolution be transmitted to the *Detroit News*, Mr. Finley, and other media outlets throughout Michigan.

The resolution was referred to the Committee on Government Operations.

### **Messages from the Senate**

#### **House Bill No. 4446, entitled**

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

The Senate has concurred in the House amendment to the Senate amendments.

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

#### **House Bill No. 5258, entitled**

A bill to amend 1981 PA 230, entitled "Michigan economic and social opportunity act of 1981," by amending section 11 (MCL 400.1111), as amended by 2003 PA 123.



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. 4555, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10k (MCL 247.660k), as amended by 1982 PA 438.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

**Senate Bill No. 969, entitled**

A bill to authorize the state administrative board to convey certain interests in property in Ingham county; to authorize the state administrative board to convey, exchange, or purchase certain parcels of property in Jackson county; to prescribe certain conditions for the conveyances, purchases, and exchanges; to provide for disposition of the revenue derived from the conveyances; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Communications from State Officers**

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

Notices of Filing  
Administrative Rules

February 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:00 P.M. this date, administrative rule (06-02-04) for the Department of Labor and Economic Growth, Director's Office, entitled "*Barber*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:02 P.M. this date, administrative rule (06-02-05) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 6. Emission Limitations and Prohibitions – Existing Sources for Volatile Organic Compounds Emissions*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:04 P.M. this date, administrative rule (06-02-06) for the Department of Environmental Quality, Air Quality Division, entitled "*Part 10. Intermittent Testing and Sampling*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

February 22, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:06 P.M. this date, administrative rule (06-02-07) for the Department of Community Health, Bureau of Community Living, Children and Families, entitled "*Blood Lead Analysis Reporting*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 2, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:05 P.M. this date, administrative rule (06-03-01) for the Department of Labor and Economic Growth, Workers' Compensation Agency, entitled "*Group Self-Insurance; Employee Leasing*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

March 2, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 1:07 P.M. this date, administrative rule (06-03-02) for the Department of Labor and Economic Growth, Workers' Compensation Agency, entitled "*Workers' Compensation Health Care Services Rules*" These rules become effective 7 days after filing with the Secretary of State.

March 2, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 4:50 P.M. this date, administrative rule (06-03-03) for the Department of Natural Resources, Law Enforcement Division, entitled "*Local Snowmobile Control*" These rules become effective 7 days after filing with the Secretary of State.

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

The communications were referred to the Clerk.

### Introduction of Bills

Reps. Moolenaar, Caul and Kahn introduced

**House Bill No. 5872, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20120a (MCL 324.20120a), as added by 1995 PA 71.

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

Rep. Caswell introduced

**House Bill No. 5873, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2 and 3a (MCL 205.92 and 205.93a), as amended by 2004 PA 172.

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

Reps. Ward, Stewart and Miller introduced

**House Bill No. 5874, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 104, 601, 602, 603, 604, 728, 1009, 1019, and 2412 (MCL 339.104, 339.601, 339.602, 339.603, 339.604, 339.728, 339.1009, 339.1019, and 339.2412), section 104 as amended by 1996 PA 151, sections 601 and 602 as amended by 2005 PA 278, section 604 as amended by 1989 PA 261, section 728 as amended by 2000 PA 334, sections 1009 and 1019 as amended by 1992 PA 253, and section 2412 as amended by 2001 PA 113, and by adding section 2006; and to repeal acts and parts of acts.

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

Reps. Ward, Stewart and Miller introduced

**House Bill No. 5875, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

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

Reps. Leland, Accavitti, Tobocman, Lipsey, Condino, Adamini, Hunter, McConico, Virgil Smith, Meisner and Alma Smith introduced

**House Bill No. 5876, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 130 (MCL 207.1130).

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

Reps. Leland, Accavitti, Tobocman, Lipsey, Condino, Adamini, Hunter, McConico, Virgil Smith, Meisner and Alma Smith introduced

**House Bill No. 5877, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523 (MCL 333.7523), as amended by 1990 PA 336.

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

Rep. Ward moved that **House Bill No. 5325** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 202****Yeas—103**

Accavitti	Emmons	Leland	Rocca
Acciavatti	Espinoza	Lemmons, Jr.	Sak
Adamini	Farhat	Lipse	Schuitmaker
Amos	Farrah	Marleau	Shaffer
Anderson	Gaffney	Mayes	Sheen
Angerer	Gillard	McConico	Sheltrown
Ball	Gleason	McDowell	Smith, Alma
Baxter	Gonzales	Meisner	Smith, Virgil
Bennett	Gosselin	Meyer	Spade
Bieda	Green	Miller	Stahl
Booher	Hansen	Moolenaar	Stakoe
Brandenburg	Hildenbrand	Moore	Steil
Brown	Hood	Mortimer	Stewart
Byrnes	Hoogendyk	Murphy	Taub
Byrum	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caswell	Hummel	Nofs	Van Regenmorter
Caul	Hune	Palmer	Walker
Cheeks	Hunter	Palsrok	Ward
Clack	Jones	Pastor	Waters
Clemente	Kahn	Pavlov	Wenke
Condino	Kolb	Pearce	Whitmer
Cushingberry	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Elsenheimer	Law, Kathleen	Robertson	

**Nays—2**

Drolet	Garfield
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In The Chair: Kooiman

The House returned to the consideration of  
**Senate Bill No. 477, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 18 (MCL 169.218), as added by 1999 PA 238.

(The bill was considered earlier today, see today's Journal p. 524.)

The question being on the motion made previously by Rep. Waters,

The demand was supported.

The question being on the motion made previously by Rep. Waters,

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 203****Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipse	Schuitmaker
Anderson	Farrah	Marleau	Shaffer

Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
Cushingberry	Kahn	Pearce	Whitmer
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

**Nays—0**

In The Chair: Kooiman

Rep. Ward moved that **House Bill No. 5336** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 204****Yeas—102**

Accavitti	Emmons	Lemmons, Jr.	Rocca
Acciavatti	Espinoza	Lipsey	Sak
Adamini	Farhat	Marleau	Schuitmaker
Amos	Farrah	Mayes	Shaffer
Anderson	Gaffney	McConico	Sheen
Angerer	Gillard	McDowell	Sheltrown
Ball	Gleason	Meisner	Smith, Alma
Baxter	Gonzales	Meyer	Smith, Virgil
Bennett	Gosselin	Miller	Spade
Bieda	Green	Moolenaar	Stahl
Booher	Hansen	Moore	Stakoe
Brandenburg	Hildenbrand	Mortimer	Steil
Byrnes	Hoogendyk	Murphy	Stewart
Byrum	Hopgood	Newell	Taub
Casperson	Huizenga	Nitz	Tobocman
Caswell	Hummel	Nofs	Vagnozzi
Caul	Hune	Palmer	Van Regenmorter

Cheeks	Hunter	Palsrok	Walker
Clack	Jones	Pastor	Ward
Clemente	Kahn	Pavlov	Waters
Condino	Kolb	Pearce	Wenke
Cushingberry	Kooiman	Plakas	Whitmer
DeRoche	LaJoy	Polidori	Williams
Dillon	Law, David	Proos	Wojno
Donigan	Law, Kathleen	Robertson	Zelenko
Elsenheimer	Leland		

**Nays—2**

Drolet	Garfield
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In The Chair: Kooiman

Rep. Ward moved that **House Bill No. 5653** be given immediate effect.  
 The question being on the motion made by Rep. Ward,  
 Rep. Waters demanded the yeas and nays.  
 The demand was supported.  
 The question being on the motion made by Rep. Ward,  
 The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 205****Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
Cushingberry	Kahn	Pearce	Whitmer
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

**Nays—0**

In The Chair: Kooiman

Rep. Ward moved that **House Bill No. 5813** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 206****Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
Cushingberry	Kahn	Pearce	Whitmer
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

**Nays—0**

In The Chair: Kooiman

The House returned to the consideration of

**Senate Bill No. 242, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today's Journal p. 516.)

The bill was read a third time.

The question being on the passage of the bill,

Rep. Kolb moved to amend the bill as follows:

1. Amend page 38, following line 9, by inserting:

“Sec. 247. For the fiscal year ending September 30, 2006, surplus funds in the community pollution prevention fund are hereby appropriated as follows:

(a) \$3,000,000.00 to the waste reduction fee revenue fund.

(b) \$7,000,000.00 to the environmental protection fund.

Sec. 248. For the fiscal year ending September 30, 2006, surplus funds of \$12,000,000.00 in the cleanup and redevelopment trust fund are hereby appropriated to the environmental protection fund.”.

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,

Rep. Ball moved to amend the bill as follows:

1. Amend page 2, line 23, by striking out “175,000” and inserting “625,000”.

2. Amend page 3, following line 21, by inserting:

“Special revenue funds:

Weights and measures regulation fees ..... 225,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

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

1. Amend page 3, following line 22, by inserting:

“**(5) PESTICIDE AND PLANT MANAGEMENT**

Pesticide and plant management ..... \$ 300,000

GROSS APPROPRIATION..... \$ 300,000

Appropriated from:

State general fund/general purpose ..... \$ 300,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Reps. Elsenheimer and Emmons moved to amend the bill as follows:

1. Amend page 31, following line 26, by inserting:

“**(6) MICHIGAN STRATEGIC FUND**

Economic development job training grants ..... \$ 1,000,000

GROSS APPROPRIATION..... \$ 1,000,000

Appropriated from:

State general fund/general purpose ..... \$ 1,000,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 44, following line 12, by inserting:

“Sec. 506. From the funds appropriated in part 1 for economic development job training grants, \$1,000,000.00 shall be allocated to Michigan technical education centers for the purpose of retraining residents who have become unemployed because of the permanent closure of a business. Priority shall be given to Michigan technical education centers affiliated with Kirkland and Montcalm community colleges.”.

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

The question being on the passage of the bill,

Rep. Marleau moved to amend the bill as follows:

1. Amend page 27, line 7, by striking out “1,470,000” and inserting “1,553,000”.

2. Amend page 27, following line 11, by inserting:

“Special revenue funds:

State park improvement fund ..... 83,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Moore moved to amend the bill as follows:

1. Amend page 27, following line 19, by inserting:

“**(6) EXECUTIVE**

Education and outreach ..... \$ 250,000

GROSS APPROPRIATION..... \$ 250,000



Appropriated from:

Special revenue funds:

Game and fish protection fund - youth hunting and fishing education and outreach fund.....	250,000
State general fund/general purpose .....	\$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 29, following line 14, by inserting:

**“(7) FORENSIC SCIENCES**

DNA analysis program.....	\$ 759,200
Laboratory analysis program.....	351,700
<b>GROSS APPROPRIATION.....</b>	<b>\$ 1,110,900</b>

Appropriated from:

Federal revenues:

DOJ.....	1,050,900
Special revenue funds:	
Forensic science reimbursement fees .....	60,000
State general fund/general purpose .....	\$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Reps. Caul and Hildenbrand moved to amend the bill as follows:

1. Amend page 34, following line 5, by inserting:

“Sec. 226. Any federal matching funds earned by the department of military and veteran’s affairs for projects through the state facility preservation program authorized for construction in 2005 PA 10 and 2005 PA 297 are hereby appropriated in an amount not to exceed \$1,500,000.00.”

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,

Reps. Amos and David Law moved to amend the bill as follows:

1. Amend page 17, following line 1, by inserting:

**“Sec. 109a. DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES**

**(1) APPROPRIATION SUMMARY**

<b>GROSS APPROPRIATION.....</b>	<b>\$ 631,800</b>
Total interdepartmental grants and intradepartmental transfers .....	0
<b>ADJUSTED GROSS APPROPRIATION .....</b>	<b>\$ 631,800</b>
Total federal revenues .....	0
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 631,800

**(2) MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS**

Arts and cultural grants.....	\$ 631,800
<b>GROSS APPROPRIATION.....</b>	<b>\$ 631,800</b>

Appropriated from:

State general fund/general purpose .....	\$ 631,800”
--	-------------

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Casperson moved to amend the bill as follows:

1. Amend page 28, line 13, by striking out “3,000,000” and inserting “3,500,000” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 43, following line 5, by inserting:

**“DEPARTMENT OF STATE POLICE**

Sec. 451. From the funds appropriated in part 1, criminal justice information center, the department shall expend \$500,000.00 to enforce the sex offenders registration act, 1994 PA 295, MCL 28.721 to 28.736, by locating offenders who are in violation of that act.”

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor. The question being on the passage of the bill,

Reps. Walker and Casperson moved to amend the bill as follows:

1. Amend page 27, following line 19, by inserting:

**“(6) PAYMENTS IN LIEU OF TAXES**

Purchased lands .....	\$	350,000
GROSS APPROPRIATION.....	\$	350,000

Appropriated from:

State general fund/general purpose .....	\$	350,000”
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and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Robertson moved to amend the bill as follows:

1. Amend page 31, following line 26, by inserting:

**“(6) REVENUE SHARING**

Special census revenue sharing payments .....	\$	311,828
GROSS APPROPRIATION.....	\$	311,828

Appropriated from:

State general fund/general purpose .....	\$	311,828”
--	----	----------

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 31, following line 26, by inserting:

**“(6) REVENUE SHARING**

Special census revenue sharing payments .....	\$	39,741
GROSS APPROPRIATION.....	\$	39,741

Appropriated from:

State general fund/general purpose .....	\$	39,741”
--	----	---------

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Pearce moved to amend the bill as follows:

1. Amend page 31, following line 26, by inserting:

**“(6) REVENUE SHARING**

Special census revenue sharing payments .....	\$	41,545
GROSS APPROPRIATION.....	\$	41,545

Appropriated from:

State general fund/general purpose .....	\$	41,545”
--	----	---------

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Reps. Nofs and Brandenburg moved to amend the bill as follows:

1. Amend page 26, following line 6, by inserting:

**“(5) MILITARY TRAINING SITES AND SUPPORT FACILITIES**

Military training sites and support facilities.....	\$	2,050,000
GROSS APPROPRIATION.....	\$	2,050,000

Appropriated from:

Federal revenues:

DOD-DOA-NGB.....		2,050,000
State general fund/general purpose .....	\$	0”

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 31, following line 4, by inserting:

“Qualified agricultural loan payments ..... 750,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Farhat moved to amend the bill as follows:

1. Amend page 17, following line 1, by inserting:

“(4) **REMEDICATION AND REDEVELOPMENT**

Little Black Creek site assessment: state match ..... \$ 100,000

GROSS APPROPRIATION ..... \$ 100,000

Appropriated from:

Special revenue funds:

Cleanup and redevelopment fund ..... 100,000

State general fund/general purpose ..... \$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 38, following line 9, by inserting:

“Sec. 247. The appropriation in section 165 for the Little Black Creek site assessment is available for any incurred state obligation related to the federal study of the Little Black Creek watershed. These funds shall not lapse at the end of the fiscal year, and shall be available until the site assessment project is completed.”.

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

The question being on the passage of the bill,

Rep. Moore moved to amend the bill as follows:

1. Amend page 38, following line 9, by inserting:

“Sec. 248. The department of environmental quality shall determine the steps to be taken to repair the Chappel Dam on Wiggins Lake, Gladwin County. A cost estimate for any recommended repairs shall be provided to the Gladwin County board of commissioners and the house and senate appropriations subcommittees on environmental quality on or before September 1, 2006.”.

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,

Reps. Farhat and Brown moved to amend the bill as follows:

1. Amend page 5, following line 4, by inserting:

“Infrastructure improvements - state projects ..... 2,500,000

Infrastructure improvements - local projects ..... 1,500,000

Land acquisitions ..... 1,000,000”.

2. Amend page 5, following line 8, by inserting:

“Special revenue funds:

State waterways fund ..... 5,000,000”.

3. Amend page 10, following line 1, by inserting:

“(c) **WILDLIFE**

Statewide deer range habitat acquisition ..... \$ 3,500,000

GROSS APPROPRIATION ..... \$ 3,500,000

Appropriated from:

Special revenue funds:

Game and fish protection - deer range improvement fund ..... 3,500,000

State general fund/general purpose ..... \$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 34, following line 5, by inserting:

“Sec. 226. The department of natural resources may transfer all revenues and unreserved receipts in the harbor development fund to the state waterways fund for the purposes appropriated in part 1 of this act.”.

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

The question being on the passage of the bill,

Rep. Gleason moved to amend the bill as follows:

1. Amend page 29, following line 14, by inserting:

“(8) **EMERGENCY MANAGEMENT**

Local grants, early warning siren system ..... \$ 18,000

GROSS APPROPRIATION ..... \$ 18,000

Appropriated from:

State general fund/general purpose ..... \$ 18,000”  
and adjusting the subtotals, totals, and section 201 accordingly.

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,

Rep. Ward moved that consideration of the bill be postponed temporarily.  
The motion prevailed.

**Second Reading of Bills**

Pending the Second Reading of  
**House Bill No. 4501, entitled**

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending sections 4, 10a, and 10b (MCL 290.644, 290.650a, and 290.650b), section 4 as amended by 2003 PA 116 and sections 10a and 10b as amended by 2002 PA 13.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.  
The motion prevailed.

Pending the Second Reading of  
**House Bill No. 5243, entitled**

A bill to authorize the state administrative board to convey certain state owned property in Wayne county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

Rep. Ward moved that the bill be re-referred to the Committee on Regulatory Reform.  
The motion prevailed.

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

The House returned to the consideration of  
**Senate Bill No. 242, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today’s Journal p. 537.)  
The question being on the passage of the bill,

Rep. Garfield moved to amend the bill as follows:  
1. Amend page 24, following line 26, by inserting:

“(4) GRANTS

Italian American cultural center of Macomb County..... \$ 50,000  
GROSS APPROPRIATION..... \$ 50,000

Appropriated from:

State general fund/general purpose ..... \$ 50,000”  
and adjusting the subtotals, totals, and section 201 accordingly.

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. 207**

**Yeas—100**

- |            |             |              |           |
|------------|-------------|--------------|-----------|
| Accavitti  | Elsenheimer | Leland       | Robertson |
| Acciavatti | Emmons      | Lemmons, Jr. | Rocca     |
| Adamini    | Espinoza    | Lipsey       | Sak       |

Amos	Farhat	Marleau	Schuitmaker
Anderson	Farrah	Mayes	Shaffer
Angerer	Gaffney	McConico	Sheltrown
Ball	Garfield	McDowell	Smith, Alma
Baxter	Gillard	Meisner	Smith, Virgil
Bennett	Gleason	Meyer	Spade
Bieda	Gonzales	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Brown	Hildenbrand	Mortimer	Stewart
Byrnes	Hood	Murphy	Taub
Byrum	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caswell	Hummel	Nofs	Van Regenmorter
Caul	Hunter	Palmer	Walker
Cheeks	Jones	Palsrok	Ward
Clack	Kahn	Pastor	Waters
Clemente	Kolb	Pavlov	Wenke
Condino	Kooiman	Pearce	Whitmer
DeRoche	LaJoy	Plakas	Williams
Dillon	Law, David	Polidori	Wojno
Donigan	Law, Kathleen	Proos	Zelenko

#### Nays—6

Cushingberry	Gosselin	Hune	Sheen
Drolet	Hoogendyk		

In The Chair: Kooiman

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

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

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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Rep. Cushingberry, 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:

Why do we have a committee system if we are not going to use it? This ham skammy, knee jerk, poorly executed process is not the way to produce sound and wise legislation. The previous Legislatures designed the committee system to foster wise, informed, reasoned, legislation in a deliberative, analytical, and methodical process. What was the emergency or other reason for such ill informed action? There is none in this record and therefore I have to vote no on passage and immediate effect.

As a protector and admirer of the Legislative institution, I believe a strong committee system is necessary to keep us on even keel.

In my career as a staffer, member, lobbyist, and local elected official, I have never observed such a major supplemental appropriations act handled in this manner.

Maybe my references are old!

We should not conduct the peoples business this way. Michigan is too great a place to weaken this institution by destruction of it’s legislative committee process.”

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 208**

**Yeas—100**

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, Jr.	Rocca
Adamini	Espinoza	Lipsey	Sak
Amos	Farhat	Marleau	Schuitmaker
Anderson	Farrah	Mayes	Shaffer
Angerer	Gaffney	McConico	Sheltrown
Ball	Garfield	McDowell	Smith, Alma
Baxter	Gillard	Meisner	Smith, Virgil
Bennett	Gleason	Meyer	Spade
Bieda	Gonzales	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Brown	Hildenbrand	Mortimer	Stewart
Byrnes	Hood	Murphy	Taub
Byrum	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caswell	Hummel	Nofs	Van Regenmorter
Caul	Hunter	Palmer	Walker
Cheeks	Jones	Palsrok	Ward
Clack	Kahn	Pastor	Waters
Clemente	Kolb	Pavlov	Wenke
Condino	Kooiman	Pearce	Whitmer
DeRoche	LaJoy	Plakas	Williams
Dillon	Law, David	Polidori	Wojno
Donigan	Law, Kathleen	Proos	Zelenko

**Nays—6**

Cushingberry	Gosselin	Hune	Sheen
Drolet	Hoogendyk		

In The Chair: Kooiman

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

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported  
**House Bill No. 5811, entitled**

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 3 (MCL 445.113), as amended by 2002 PA 612.

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. Nofs, Proos, Emmons, Garfield, Huizenga, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Dillon, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente  
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, March 15, 2006

Present: Reps. Nofs, Proos, Emmons, Garfield, Huizenga, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Dillon, Accavitti, Murphy, Mayes, Hunter, Hopgood and Clemente

Absent: Rep. Drolet

Excused: Rep. Drolet

The Committee on Agriculture, by Rep. Nitz, Chair, reported

**House Bill No. 5711, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 86.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade and Sheltroun

Nays: Rep. Kathleen Law

The Committee on Agriculture, by Rep. Nitz, Chair, reported

**House Bill No. 5712, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8601a and 8605.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Spade and Sheltroun

Nays: Rep. Kathleen Law

The Committee on Agriculture, by Rep. Nitz, Chair, reported

**House Bill No. 5713, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8601b and 8607.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade and Sheltroun  
Nays: Rep. Kathleen Law

The Committee on Agriculture, by Rep. Nitz, Chair, reported

**House Bill No. 5714, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8601c, 8609, and 8611.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade and Sheltroun  
Nays: Rep. Kathleen Law

The Committee on Agriculture, by Rep. Nitz, Chair, reported

**House Bill No. 5715, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8801, 8802, 8803, 8807, 19608, and 19616 (MCL 324.8801, 324.8802, 324.8803, 324.8807, 324.19608, and 324.19616), sections 8801, 8802, 8803, and 8807 as added by 1998 PA 287, section 19608 as amended by 2003 PA 252, and section 19616 as added by 1998 PA 288; and to repeal acts and parts of acts.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Spade and Sheltroun  
Nays: Rep. Kathleen Law

The Committee on Agriculture, by Rep. Nitz, Chair, reported

**House Bill No. 5716, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 5301 and 5304 (MCL 324.5301 and 324.5304), section 5301 as amended by 2005 PA 255 and section 5304 as amended by 2002 PA 397; and to repeal acts and parts of acts.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Spade and Sheltroun  
Nays: Rep. Kathleen Law

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 14, 2006

Present: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun



The Committee on Education, by Rep. Palmer, Chair, reported

**Senate Bill No. 327, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 2000 PA 497.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Meyer, Hoogendyk, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

**Senate Bill No. 328, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11f (MCL 388.1611f), as amended by 2004 PA 351.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Meyer, Hoogendyk, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

**Senate Bill No. 329, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2004 PA 351, and by adding section 34.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Meyer, Hoogendyk, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

**Senate Bill No. 330, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 31a (MCL 388.1631a), as amended by 2004 PA 593.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Meyer, Hoogendyk, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

**Senate Bill No. 866, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 51a (MCL 388.1651a), as amended by 2005 PA 155.

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. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 15, 2006

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Absent: Rep. Vander Veen

Excused: Rep. Vander Veen

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Rep. Stahl moved that the House adjourn.

The motion prevailed, the time being 4:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 16, at 10:30 a.m.

GARY L. RANDALL

Clerk of the House of Representatives