

**No. 77**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Wednesday, August 22, 2007.

1:30 p.m.

The House was called to order by Associate Speaker Pro Tempore Byrnes.

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

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

e/d/s = entered during session

Rep. Rick Shaffer, from the 59th District, offered the following invocation:

“Gracious Father, Your word admonishes us to come before Your almighty throne boldly and with rejoicing; and so, we give thanks for Your goodness, greatness, and the gifts of life’s blessings that we have come to enjoy.

Almighty God, You have created this predominately good world in which we find ourselves, help us so to live that our gratitude and thanksgiving may be self-evident daily. Help us to understand that they that profit most, serve best! Grant us visions of Your nature, and the needs of our fellow human beings that we may give ourselves in service as did He who affirmed: ‘I came not to be served but to serve’ ...

We are Your servants, Lord. Bless us with the ability to learn; bless us with the ability to listen, and bless us with the ability to lead.

Give us the courage to put aside personal agendas; encourage us to bury our egos, and help us understand that in order to lead, we need open minds and open hearts.

For today we request Your kind leading, for each and all (staff and legislators alike) as we strive to make Michigan an even greater state to work and play. Amen.”

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

### **Motions and Resolutions**

Reps. Calley, Rick Jones, Miller, Knollenberg, Byrum, Marleau, Meadows, Polidori, Rocca, Wojno, Leland, Accavitti, Bieda, Booher, Byrnes, Casperson, Constan, Coulouris, Cushingberry, Dean, Emmons, Garfield, Griffin, Hammel, Hammon, Hansen, Horn, David Law, Kathleen Law, LeBlanc, Lemmons, Mayes, Nofs, Opsommer, Palmer, Pastor, Proos, Stahl, Steil, Tobocman, Valentine and Pavlov offered the following resolution:

#### **House Resolution No. 174.**

A resolution to memorialize the United States Congress to examine current trade policies with China, including the issues of safety and the overall impact of Chinese goods on our country.

Whereas, There have been numerous health and safety problems with Chinese imports in the United States. China has an increasingly poor track record of exporting defective products, including such varied goods as seafood, pet food, toothpaste, toys, and tires. These defective imported goods have threatened the safety of our children, pets, and general family welfare; and

Whereas, Chinese authorities have discovered that many of their food products such as candy, pickles, crackers and seafood have been found to contain formaldehyde, illegal dyes, and industrial wax, among other dangerous contents; and

Whereas, United States regulators ordered a recall of hundreds of thousands of tires imported from China, after it was discovered that the defective tires could suffer tread separation. Also, Japanese importers recalled Chinese toothpaste that was found to contain a chemical used in antifreeze; and

Whereas, Chinese wheat gluten tainted with the chemical melamine was blamed for deaths of dogs and cats in North America. Products rejected or recalled by United States authorities include toxic fish, juice containing unsafe color additives, and popular toy trains decorated with lead paint; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to examine current trade policies with China, including the issues of safety and the overall impact of Chinese goods on our country; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Commerce.

Reps. Polidori, Valentine, Wojno, Kathleen Law, Spade, LeBlanc, Constan, Griffin, Gonzales, Byrnes, Angerer, Brown, Espinoza, Gillard, Garfield, Marleau, Rick Jones, Farrah, Bennett, Young, Miller, Vagnozzi, Sak, Hood, Scott, Bieda, Clack, Dean, Johnson, Meisner, Meadows, Rocca, Leland, Accavitti, Cushingberry, Emmons, Hammel, Hammon, Hansen, Lemmons, Mayes, Melton, Nofs, Pastor, Proos, Stahl and Tobocman offered the following resolution:

#### **House Resolution No. 175.**

A resolution to memorialize the United States Congress to reestablish medical care for certain veterans whose income and disability status disqualified them for Department of Veterans Affairs medical care as of January 17, 2003.

Whereas, We have been at war for nearly six years since the September 11th terrorist attacks on our soil. During this time, American military personnel have served around the world in combat. The wounds and illnesses that they may endure as the result of this service in our defense could affect them for a lifetime. It is our responsibility as a nation to honor their service and sacrifice by doing all we can to restore their health and opportunities in civilian life; and

Whereas, Beginning January 17, 2003, veterans with income above certain levels and who have no service-connected disability have been ineligible for Department of Veterans Affairs (VA) medical care. These Priority 8 category veterans may lack other sources of health care, and so ineligibility for VA health care could be a threat to their long-term health. Even veterans without evident war-related injuries or illnesses could have hidden health issues that can evolve into serious problems. Infections or viruses from serving in foreign lands might not reveal themselves until later in life. In addition, veterans with combat wounds such as traumatic brain injury (TBI) from blast effects or post-traumatic stress disorder (PTSD) may not display symptoms for years. Without early access to the VA healthcare system, veterans may not have the benefits of medical monitoring and early intervention in developing health issues; and

Whereas, Congress has before it two bills that would restore VA eligibility to these Priority 8 veterans under current standards with income levels too high and no service-connected disability. In the House of Representatives, HR 463 would restore this eligibility, while in the Senate, S 1147 has been introduced. We owe it to our veterans to act on this legislation to ensure that any long-term problems that may not be currently evident can be identified and treated in a timely manner. Providing quality health care is part of our duty as a nation to our veterans, and there is no excuse for failing to right this mistake; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to reestablish medical care for certain veterans whose income and disability status disqualified them for Department of Veterans Affairs medical care as of January 17, 2003; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Espinoza, Meadows, Polidori, Scott, Wojno, Leland, Accavitti, Bieda, Byrnes, Constan, Cushingberry, Dean, Garfield, Griffin, Hammel, Hammon, Hansen, Horn, Kathleen Law, Lemmons, Mayes, Melton, Miller, Opsommer, Spade, Stahl, Tobocman and Vagnozzi offered the following resolution:

**House Resolution No. 176.**

A resolution to memorialize Congress to repeal Title II of the REAL ID Act of 2005 and to support a return to a negotiated rulemaking process with the states.

Whereas, The state of Michigan denounces and condemns all acts of terrorism, wherever the acts occur; and

Whereas, The Intelligence Reform and Terrorism Prevention Act (IRTP) of 2004 called for reforms that would make identification documents more secure, harder to forge, and more difficult to fraudulently obtain; and

Whereas, The IRTP Act of 2004 recognized that imposing federal mandates and standards onto state driver's licenses raised important questions on the federal government's ability and role in interfering with identification cards wholly owned by the states, especially when there are federal alternatives. As a result, the Act sought to establish identification security guidelines by a shared and negotiated rulemaking process in full partnership with the states; and

Whereas, The REAL ID Act of 2005, without benefit of Senate hearings or testimony, was abruptly attached as a rider to a must-pass military spending and tsunami relief bill (PL 109-13). Its passage effectively repealed the negotiated rulemaking process already under way as a result of the IRTP Act of 2004, replacing it with methodology designed to directly impose federal standards onto a state's wholly owned licenses under REAL ID. The draft rules for obtaining a REAL ID are more stringent than those the federal government requires for its own passports or social security cards; and

Whereas, Under these new standards, the REAL ID Act sets mandated deadlines in the near future under which Michigan's current licenses cannot be used for any federal purpose, including, but not limited to, activities such as boarding domestic airline flights, opening most bank accounts, and gaining entrance to federal buildings such as courts. While citizens could alternatively use passports for such purposes, whether or not non-REAL ID licenses could still be used for the federal purpose of obtaining a passport has not been definitively clarified; and

Whereas, The REAL ID Act puts the Department of Homeland Security in charge of determining the as of yet published final rules that would mandate what information would be included on Michigan's driver's licenses, with whom the data must be shared, what biometrics may ultimately be used on the cards, and what encoding or other machine-readable technology may ultimately be required. Such action creates a precedent where different or additional rules could also be created again by the federal government in the future; and

Whereas, The REAL ID Act would mandate that Michigan must link parts of its Secretary of State database to the departments of motor vehicles of all other states, in effect creating a single shared national database, while at the same time REAL ID sets no standards whatsoever on the security measures that states must use for gateway access to other states' databases, allows for non-governmental third parties to administer such databases, and sets absolutely no limits on how non-governmental entities will mandate use of the cards for goods, services, or other purposes; and

Whereas, Real ID is an unfunded mandate and the Department of Homeland Security estimates that the regulations will cost the states and consumers \$23 billion to implement; and

Whereas, Regardless of who pays for the costs of REAL ID, it would federalize Michigan's driver's licenses by determining under what conditions the card can be used, what information has to be collected and put on the cards, what machine-readable technology the information is encoded under, and to whom the state must give such data. This federalization and creation of a de facto national identification card occurs without the benefit of a shared, negotiated rulemaking process with the states regarding the co-option of their wholly owned licenses; and

Whereas, As a result of these concerns and a recognition that needed reforms can be accomplished without the negative aspects of REAL ID, seventeen states have already passed bills or resolutions rejecting, asking for repeal, or putting limitations on whether or not they will participate in REAL ID. These states include Arkansas, Colorado, Georgia, Hawaii, Idaho, Illinois, Maine, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Dakota, Oklahoma, South Carolina, Tennessee, and Washington. Ten other states have anti-REAL ID initiatives that have passed one chamber; and

Whereas, Federal S. 117, the Identification Security Enhancement Act of 2006 sponsored by Senators Sununu (R-NH) and Akaka (D-HI), and similar current legislation, replaces REAL ID with language taken from the original Intelligence Reform and Terrorism Prevention Act of 2004. The proposed legislation takes a more measured approach to mandating tougher standards for driver's licenses by requiring that new guidelines be developed by a shared rulemaking process that would fully involve all states and other key stakeholders; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to repeal Title II of the REAL ID Act of 2005, and to support a return to a negotiated rulemaking process with the states, such as called for in S. 117, the Identification Security Enhancement Act of 2006; and be it further

Resolved, That the Michigan Legislature will not appropriate funds nor enact legislation for the implementation of Title II of the REAL ID Act of 2005; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on New Economy and Quality of Life.

### **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, August 22:

**House Bill Nos. 5106 5107 5108 5109 5110 5111 5112 5113 5114 5115 5116 5117 5118 5119  
5120 5121**

The Clerk announced that the following Senate bills had been received on Wednesday, August 22:

**Senate Bill Nos. 111 624 655 656 657 675 676**

### **Reports of Standing Committees**

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

#### **House Resolution No. 172.**

A resolution to urge the Congress of the United States and the United States Environmental Protection Agency to address the recent approval of increased pollution by British Petroleum into the Great Lakes.

(For text of resolution, see House Journal No. 76, p. 1243.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

### **Favorable Roll Call**

To Report Out:

Yeas: Reps. Warren, Donigan, Ebli, Kathleen Law, Leland, Meadows, Miller, Valentine, Moolenaar, Walker and Meekhof

Nays: None

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported  
**House Concurrent Resolution No. 40.**

A concurrent resolution to oppose the proposed increase in materials discharged into Lake Michigan by British Petroleum at Whiting, Indiana.

(For text of concurrent resolution, see House Journal No. 75, p. 1209.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Warren, Donigan, Ebli, Kathleen Law, Leland, Meadows, Miller, Valentine, Moolenaar, Walker and Meekhof

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, August 22, 2007

Present: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Leland, Meadows, Miller, Valentine, Robertson, Moolenaar, Walker and Meekhof

Absent: Reps. Palmer and Emmons

Excused: Reps. Palmer and Emmons

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

**House Bill No. 4905, entitled**

A bill to amend 1982 PA 239, entitled "An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry and livestock composting; to prescribe powers and duties of certain state departments; to impose fees; to provide for remedies and to prescribe penalties; and to repeal acts and parts of acts," by amending sections 3, 4, and 15 (MCL 287.653, 287.654, and 287.665), as amended by 2005 PA 66.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Walker, Nitz, Ball and Meekhof

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 22, 2007

Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Walker, Nitz, Ball and Meekhof

Absent: Rep. Sheltroun

Excused: Rep. Sheltroun

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, August 21, 2007

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

Absent: Rep. Wojno

Excused: Rep. Wojno

### Communications from State Officers

The following communications from the Department of Human Services were received and read:

August 7, 2007

Pursuant to Section 1002 of P.A. 345 of FY 2006, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Adrian Training School	2007C0212027	CS460200931
Approval Study Report	Woodland Center		CS470245817

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "Online Lookups, Child Welfare Licensed Facilities" at the following address: <http://www.michigan.gov/dhslicensing>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Wilson at 517-373-8383.

August 20, 2007

The enclosed reports are provided pursuant to PA 345 of 2006 Section 514, the Department of Human Services (DHS) Fiscal Year 2007 Appropriations Act, and Sections 722.629a and 722.628d (5) & (6) of 1975 PA 238, the Child Protection Law. These sections require that DHS provide information on Children's Protective Services (CPS) statistical data, and a list of significant CPS policies implemented in the proceeding fiscal year.

The enclosed information includes the following:

1. 2006 Trends Summary Report.
2. A listing of Children's Protective Services program definitions.
3. The total number of reports of abuse or neglect received, investigated, and substantiated in from 1996-2006.
4. Screened-out complaints trends.
5. The number of cases classified under abuse/neglect categories I through V.
6. The number of cases in category III that escalated to category I or II.
7. "Victims of Abuse and Neglect" report, which includes a breakdown of the age, race, and gender of child victims.
8. "Perpetrators of Abuse and Neglect" report, which includes the perpetrator's relationship to the victim(s) and the type of abuse/neglect substantiated (listed on central registry).
9. "Source of Complaints" report, which includes both mandated and non-mandated reporters, their relationship to the victim, and the percentage of their complaints that are substantiated.
10. A listing of significant CPS policy changes and law changes effective in 2006.

If you have any questions, comments, or would like additional information, please contact Ted Forrest at (517) 335-3704.

Sincerely,  
Marianne Udow  
Director

The communications were referred to the Clerk.

### Introduction of Bills

Rep. Hune introduced

#### House Bill No. 5122, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10w (MCL 460.10w), as added by 2000 PA 141.

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

Reps. Bieda and Rocca introduced

**House Bill No. 5123, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending sections 2 and 3 (MCL 207.842 and 207.843), section 2 as amended by 2006 PA 554.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Reps. Sak, Dean, Cheeks and Virgil Smith introduced

**House Bill No. 5124, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1146 (MCL 380.1146), as amended by 2006 PA 303.

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

Reps. Bieda, Bauer and Condino introduced

**House Bill No. 5125, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 433 (MCL 208.1433).

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

Reps. Bauer, Bieda and Condino introduced

**House Bill No. 5126, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 435 (MCL 208.1435).

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

Reps. Rocca, Moss, Moore, Ball, Gaffney, Bieda, Condino, Ward, Casperson, Accavitti, Warren, Constan, LeBlanc, Meadows, Vagnozzi and Miller introduced

**House Bill No. 5127, entitled**

A bill to prohibit certain units of government from establishing the ownership of real property as a qualification for public office; and to provide remedies.

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

Rep. Cushingberry introduced

**House Bill No. 5128, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51e (MCL 206.51e), as amended by 2003 PA 239.

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

Rep. Cushingberry introduced

**House Bill No. 5129, 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 bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Calley, Stahl, Knollenberg and Meltzer introduced

**House Bill No. 5130, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 11b and 16t (MCL 777.11b and 777.16t), section 11b as amended by 2005 PA 207 and section 16t as amended by 2004 PA 112.

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

Reps. Dean, Meekhof, Rick Jones, Steil, Stahl, Hammon, Valentine, Hopgood, Mayes, Accavitti, Acciavatti, Hildenbrand, Casperson, Lemmons, Cheeks, Sak, Brandenburg, Horn, Espinoza, Brown, Farrah, Johnson, Gonzales, Polidori, Bennett, Kathleen Law, Scott, Hood, Cushingberry, Meadows, Jackson, Young, Constan, Garfield, Lindberg and Robert Jones introduced

**House Bill No. 5131, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 7 (MCL 28.727), as amended by 2004 PA 237.

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

Rep. Cushingberry introduced

**House Bill No. 5132, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

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

Reps. David Law, LaJoy, Ward and Marleau introduced

**House Bill No. 5133, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 7 (MCL 28.727), as amended by 2004 PA 237.

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

Reps. David Law, LaJoy, Ward and Marleau introduced

**House Bill No. 5134, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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

Rep. Cushingberry introduced

**House Bill No. 5135, entitled**

A bill to provide for the levy, assessment, and collection of an excise tax on certain services; to provide exemptions; to appropriate the proceeds; to prescribe certain powers and duties of certain state departments; and to prescribe penalties.

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

### Announcements by the Clerk

August 10, 2007

Received from the Auditor General financial statements, together with the Auditors' Report, of the Bureau of State Lottery for the six-month periods ended March 31, 2007 and 2006.

Richard J. Brown  
Clerk of the House

Rep. Hoogendyk moved that Reps. Calley and Wenke 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. 298, entitled**

A bill to amend 1836 PA 25, entitled "An act concerning the records of deeds and other conveyances of land," by amending section 1 (MCL 565.581).

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



**Roll Call No. 297****Yeas—108**

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

**Nays—0**

In The Chair: Byrnes

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.

**Senate Bill No. 299, entitled**

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201), as amended by 2002 PA 19.

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

**Roll Call No. 298****Yeas—109**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak

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

**Nays—0**

In The Chair: Byrnes

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.

**Senate Bill No. 301, entitled**

A bill to amend 1873 PA 5, entitled “An act to provide for the recording of judgments in actions affecting or relating to the title of real estate,” by amending section 1 (MCL 565.401).

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

**Roll Call No. 299****Yeas—109**

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

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

**Nays—0**

In The Chair: Byrnes

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.

**Senate Bill No. 303, entitled**

A bill to amend 1875 PA 54, entitled "An act to facilitate the inspection and reproduction of the records and files in the offices of the registers of deeds," by amending section 1 (MCL 565.551), as amended by 1994 PA 51.

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

**Roll Call No. 300****Yeas—109**

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

Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon			

### Nays—0

In The Chair: Byrnes

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

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4346, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Tobocman and Vagnozzi

Nays: Reps. Acciavatti and Brandenburg

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4359, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 99h, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 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, 388.1699h, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended and sections 11m, 24a, 24c, 29, 32b, 64, 65, 99e, 99h, and 104 as added by 2006 PA 342, sections 8b and 38 as amended by 2003 PA 158, sections 19 and 39 as amended by 2005 PA 155, section 20d as amended by 1997 PA 93, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding sections 22e and 32e; and to repeal acts and parts of acts.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Tobocman and Vagnozzi

Nays: Reps. Caswell, Brandenburg and Agema

## Notices

August 22, 2007

Mr. Richard J. Brown Clerk  
Michigan House of Representatives  
State Capitol Building  
Lansing, MI 48913

Dear Mr. Clerk:

I am appointing the following members of the House to the Retiree Health Care Reforms Committee for terms from August 22, 2007 to December 31, 2008:

Representative Alma Wheeler Smith

Representative Mary Valentine

Representative Chuck Moss

Regards,  
Andy Dillon  
Speaker of the House of Representatives

August 22, 2007

Mr. Richard J. Brown Clerk  
Michigan House of Representatives  
State Capitol Building  
Lansing, MI 48913

Dear Mr. Clerk:

I am appointing the following member of the House to the Committee on Ethics & Elections for a term from August 22, 2007 to December 31, 2008:

Representative Rebekah Warren

Regards,  
Andy Dillon  
Speaker of the House of Representatives

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

**House Bill No. 4346, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

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

1. Amend page 16, following line 14, by inserting:

“Sec. 223. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

The question being on the adoption of the amendment offered by Reps. Amos and Hoogendyk, Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Amos and Hoogendyk,

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

**Roll Call No. 301****Yeas—51**

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

**Nays—58**

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

In The Chair: Byrnes

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I have always supported full public disclosure, this amendment adds a level of redundancy to existing state law. Simply put, this is an unnecessary amendment that creates more bureaucracy and little of value. The information is readily available, and this amendment would require more man hours of work that would simply replicate what is already available. Thus, I voted against this useless amendment.”

Rep. Gillard 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. 4346, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

**Roll Call No. 302**

**Yeas—59**

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

**Nays—50**

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

In The Chair: Byrnes

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. Huizenga, 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 believe this vote and the spending levels demonstrated in this and similar bills violate Article 5, Section 16 of the State Constitution which requires Michigan to spend no more than it’s revenues. Since there has been no vote on increasing revenue or taxes we therefore must base our budgets on current budget estimates. This and the other budget bills we are voting on this evening violate that requirement.”

### Second Reading of Bills

#### House Bill No. 4359, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 99h, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 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, 388.1699h, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended and sections 11m, 24a, 24c, 29, 32b, 64, 65, 99e, 99h, and 104 as added by 2006 PA 342, sections 8b and 38 as amended by 2003 PA 158, sections 19 and 39 as amended by 2005 PA 155, section 20d as amended by 1997 PA 93, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding sections 22e and 32e; and to repeal acts and parts of acts.

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

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

Rep. Walker moved to amend the bill as follows:

1. Amend page 66, following line 2, by inserting:

**“(5) IT IS THE INTENT OF THE LEGISLATURE THAT STARTING IN 2007-2008 THE CALCULATION IN THIS SECTION BE ADJUSTED IF THERE IS A REDUCTION IN APPROPRIATIONS UNDER SECTION 22C. THE CALCULATION SHALL BE REDUCED PROPORTIONATELY TO REFLECT THE SAME APPROPRIATION REDUCTION AMOUNT UNDER SECTION 22C.”.**

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

Rep. Amos moved to amend the bill as follows:

1. Amend page 197, following line 3, by inserting:

“Enacting section 3. This amendatory act does not take effect unless House Bill No. 4980 of the 94th Legislature is enacted into law.”.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 303

#### Yeas—48

Acciavatti  
Agema  
Amos  
Booher  
Brandenburg

Garfield  
Hansen  
Hildenbrand  
Hoogendyk  
Horn

Meekhof  
Meltzer  
Moolenaar  
Moore  
Moss

Proos  
Robertson  
Rocca  
Schuitmaker  
Shaffer



Casperson	Huizenga	Nitz	Sheen
Caswell	Hune	Nofs	Stahl
Caul	Jones, Rick	Opsommer	Stakoe
DeRoche	Knollenberg	Palmer	Steil
Elsenheimer	LaJoy	Palsrok	Walker
Emmons	Law, David	Pastor	Ward
Gaffney	Marleau	Pavlov	Wenke

**Nays—61**

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

In The Chair: Byrnes

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 197, following line 3, by inserting:

“Enacting section 3. This amendatory act does not take effect unless House Bill No. 5083 of the 94th Legislature is enacted into law.”.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 304****Yeas—52**

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

## Nays—58

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

In The Chair: Byrnes

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:  
 “Mr. Speaker and members of the House:

I voted ‘no’ on this amendment because the information requested is already readily available, thus, this amendment is unnecessary and simply adds more bureaucracy to state government.”

Rep. Ward moved to amend the bill as follows:

1. Amend page 45, line 25, by striking out “\$7,208.00” and inserting “\$7,108.00”.
2. Amend page 46, line 22, after “PLUS” by striking out “\$100.00” and inserting “\$0.00”.
3. Amend page 47, line 24, after “OF” by striking out “\$100.00” and inserting “\$0.00”.
4. Amend page 71, line 9, by striking out “\$3,751,800,000.00” and inserting “\$3,586,000,000.00”.
5. Amend page 75, line 21, by striking out “\$113,500,000.00” and inserting “\$420,000,000.00”.
6. Amend page 75, line 24, after “than” by striking out “\$7,669.00” and inserting “\$7,580.00”.
7. Amend page 75, line 26, after “of” by striking out “\$100.00” and inserting “\$472.00”.
8. Amend page 75, line 27, after “between” by striking out “\$7,669.00” and inserting “\$7,580.00”.
9. Amend page 81, line 23, by striking out “\$36,000,000.00” and inserting “\$20,000,000.00”.
10. Amend page 82, line 27, after “exceed” by striking out “\$321,450,000.00” and inserting “\$319,350,000.00”.
11. Amend page 87, line 1, by striking out “\$5,743,000.00” and inserting “\$3,743,000.00”.
12. Amend page 93, line 14, after “EXCEED” by striking out “\$100,000.00” and inserting “\$0.00”.
13. Amend page 96, line 19, by striking all of section 31g.
14. Amend page 97, line 23, by striking out “\$2,500,000.00” and inserting “\$1,000,000.00”.
15. Amend page 100, line 12, by striking out “\$2,500,000.00” and inserting “\$1,750,000.00”.
16. Amend page 101, line 20, after “exceed” by striking out “\$83,200,000.00” and inserting “\$78,600,000.00”.
17. Amend page 103, line 23, by striking out all of section 32e.
18. Amend page 108, line 7, by striking out all of section 32f.
19. Amend page 113, line 4, after “EXCEED” by striking out “\$27,200,000.00” and inserting “\$5,000,000.00”.
20. Amend page 114, line 7, after “ALLOCATED” by striking out “\$22,200,000.00” and inserting “\$0.00”.
21. Amend page 117, line 13, after “EXCEED” by striking out “\$300,000.00” and inserting “\$0.00”.
22. Amend page 117, line 18, after “exceed” by striking out “\$13,050,000.00” and inserting “\$12,250,000.00”.
23. Amend page 122, line 13, by striking out “\$3,500.00” and inserting “\$3,300.00”.
24. Amend page 129, line 21, by striking out “\$3,500.00” and inserting “\$3,300.00”.
25. Amend page 158, line 1, after “exceed” by striking out “\$4,000,000.00” and inserting “\$2,000.00”.
26. Amend page 160, line 3, by striking out all of section 65a.

27. Amend page 162, line 20, by striking out all of section 77.

28. Amend page 176, line 15, by striking out all of section 98d.

29. Amend page 180, line 7, by striking out all of section 99a.

30. Amend page 183, line 15, by striking out all of section 99i and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Ward,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Ward,

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

**Roll Call No. 305**

**Yeas—46**

Acciavatti	Elsenheimer	Meekhof	Schuitmaker
Agema	Emmons	Meltzer	Shaffer
Angerer	Green	Moolenaar	Sheen
Ball	Hansen	Moore	Simpson
Booher	Hildenbrand	Nitz	Spade
Byrum	Hoogendyk	Nofs	Stahl
Calley	Horn	Opsommer	Stakoe
Casperson	Huizenga	Palsrok	Steil
Caswell	Hune	Pavlov	Walker
Caul	Jones, Rick	Pearce	Ward
DeRoche	LaJoy	Robertson	Wenke
Ebli	Marleau		

**Nays—64**

Accavitti	Dean	Jones, Robert	Palmer
Amos	Dillon	Knollenberg	Pastor
Bauer	Donigan	Lahti	Polidori
Bennett	Espinoza	Law, David	Proos
Bieda	Farrah	Law, Kathleen	Rocca
Brandenburg	Gaffney	LeBlanc	Sak
Brown	Garfield	Leland	Scott
Byrnes	Gillard	Lemmons	Sheltrown
Cheeks	Gonzales	Lindberg	Smith, Alma
Clack	Griffin	Mayes	Smith, Virgil
Clemente	Hammel	McDowell	Tobocman
Condino	Hammon	Meadows	Vagnozzi
Constan	Hood	Meisner	Valentine
Corriveau	Hopgood	Melton	Warren
Coulouris	Jackson	Miller	Wojno
Cushingberry	Johnson	Moss	Young

In The Chair: Byrnes

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 23, line 18, after "If" by inserting "**AT THE JANUARY REVENUE ESTIMATING CONFERENCE THERE IS A CONSENSUS ESTIMATE THAT**".

2. Amend page 23, line 21, after "year," by striking out "payments" and inserting "**THEN ALL OF THE FOLLOWING APPLY:**

(A) **PAYMENTS**".

3. Amend page 23, line 23, after "full." by striking out "In addition, for" and inserting: **"(B) FOR"**.
4. Amend page 24, line 6, after "(4)" by striking out "If proration is necessary," and inserting: **"(C) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION,"**.
5. Amend page 24, line 7, by striking out "other".
6. Amend page 24, line 7, after "act" by inserting a comma and **"OTHER THAN THOSE LISTED IN SUBDIVISION (A),"**.
7. Amend page 24, line 12, after "subsection," by striking out balance of the line through "year," on line 14.
8. Amend page 24, line 19, after "proration." by inserting **"THESE NOTIFICATIONS SHALL BE MADE AS PRESCRIBED IN SUBDIVISION (D)."**.
9. Amend page 25, following line 1, by inserting:

**"(D) THE DEPARTMENT OF TREASURY SHALL MAKE A DETERMINATION THAT PRORATION WILL BE NECESSARY UNDER THIS SUBSECTION AND SHALL NOTIFY THE STATE BUDGET DIRECTOR OF THAT DETERMINATION WITHIN 2 DAYS AFTER THE JANUARY REVENUE ESTIMATING CONFERENCE. THE STATE BUDGET DIRECTOR SHALL NOTIFY THE LEGISLATURE AS REQUIRED UNDER SUBDIVISION (C) WITHIN 5 DAYS AFTER RECEIVING THE NOTICE FROM THE DEPARTMENT OF TREASURY.**

**(E) IF PAYMENTS HAVE NOT BEEN PRORATED BY MARCH 1 OF THE FISCAL YEAR, THEN AN AMOUNT EQUAL TO THE AMOUNT BY WHICH THE MAXIMUM AMOUNT APPROPRIATED FROM THE STATE SCHOOL AID FUND AND THE SCHOOL AID STABILIZATION FUND FOR THE FISCAL YEAR EXCEEDS THE AMOUNT AVAILABLE FOR EXPENDITURE FROM THOSE SOURCES FOR THAT FISCAL YEAR, ACCORDING TO THE CONSENSUS ESTIMATE, IS APPROPRIATED FROM THE GENERAL FUND TO THE STATE SCHOOL AID FUND TO MAKE UP THAT DEFICIENCY, AND ALL PAYMENTS DUE UNDER THIS ACT SHALL BE MADE IN FULL."**

10. Amend page 26, following line 7, by inserting:

**"(5) IF IT IS DETERMINED AT THE MAY REVENUE ESTIMATING CONFERENCE OR AT ANY OTHER TIME AFTER MARCH 1 OF THE FISCAL YEAR THAT THE MAXIMUM AMOUNT APPROPRIATED FROM THE STATE SCHOOL AID FUND AND THE SCHOOL AID STABILIZATION FUND FOR A FISCAL YEAR EXCEEDS THE AMOUNT AVAILABLE FOR EXPENDITURE FROM THOSE SOURCES FOR THAT FISCAL YEAR, THEN AN AMOUNT EQUAL TO THAT DEFICIENCY IS APPROPRIATED FROM THE GENERAL FUND TO THE STATE SCHOOL AID FUND TO MAKE UP THAT DEFICIENCY, AND ALL PAYMENTS DUE UNDER THIS ACT SHALL BE MADE IN FULL."** and renumbering the remaining subsections.

11. Amend page 26, following line 11, by inserting:

**"(6) AS USED IN THIS SECTION, "REVENUE ESTIMATING CONFERENCE" MEANS A REVENUE ESTIMATING CONFERENCE CONDUCTED UNDER SECTION 367B OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1367B."**

The question being on the adoption of the amendments offered by Rep. Moolenaar,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Moolenaar,

The amendments were adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 306

### Yeas—98

Accavitti	Dillon	Lahti	Pavlov
Acciavatti	Donigan	LaJoy	Pearce
Agema	Ebli	Law, David	Polidori
Amos	Elsenheimer	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lindberg	Sak
Bennett	Gaffney	Marleau	Schuitmaker
Bieda	Garfield	Mayes	Scott
Booher	Gillard	McDowell	Shaffer
Brandenburg	Green	Meekhof	Sheen
Brown	Griffin	Meisner	Sheltrown

Byrum	Hammon	Melton	Simpson
Calley	Hansen	Meltzer	Smith, Virgil
Casperson	Hildenbrand	Miller	Spade
Caswell	Hoogendyk	Moolenaar	Stahl
Caul	Hopgood	Moore	Stakoe
Cheeks	Horn	Moss	Steil
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Wenke
Coulouris	Jones, Rick	Palsrok	Wojno
Dean	Jones, Robert	Pastor	Young
DeRoche	Knollenberg		

**Nays—12**

Byrnes	Gonzales	Lemmons	Tobocman
Clack	Hammel	Meadows	Vagnozzi
Cushingberry	Hood	Smith, Alma	Warren

In The Chair: Byrnes

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

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

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

The question being on the adoption of the substitute (H-3) offered by Rep. Caswell,

Rep. Ward demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-3) offered by Rep. Caswell,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 307****Yeas—50**

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

**Nays—58**

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

In The Chair: Byrnes

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on the (H-3) substitute because it recklessly overspends by over \$300 million. Simply saying we can find it in the state general fund is ingenuous, especially in light of the state’s fiscal difficulties. The amendment also guts important early childhood development programs, as well as a whole host of important policy initiatives. Simply put, this substitute represents a harmful approach to public education.”

Rep. Gillard 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. Gillard 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. 4359, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 8b, 11, 11a, 11f, 11g, 11j, 11k, 11m, 15, 18, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 99h, 104, 107, 147, and 163 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 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, 388.1699h, 388.1704, 388.1707, 388.1747, and 388.1763), sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 15, 18, 20, 20j, 22a, 22b, 22d, 24, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32l, 37, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended and sections 11m, 24a, 24c, 29, 32b, 64, 65, 99e, 99h, and 104 as added by 2006 PA 342, sections 8b and 38 as amended by 2003 PA 158, sections 19 and 39 as amended by 2005 PA 155, section 20d as amended by 1997 PA 93, section 76 as amended by 1996 PA 300, and section 163 as amended by 2004 PA 351, and by adding sections 22e and 32e; and to repeal acts and parts of acts.

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

**Roll Call No. 308****Yeas—62**

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

**Nays—48**

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

**In The Chair: Byrnes**

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

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

A bill to amend 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, 22c, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 76, 81, 94a, 98, 99, 99e, 99h, 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, 388.1622c, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 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, 388.1699h, 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, 22c, 24a, 24c, 29, 32b, 64, 99e, 99h, and 104 as added by 2006 PA 342, section 6a as amended by 1997 PA 93, sections 8b and 38 as amended by 2003 PA 158, sections 19 and 39 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 sections 31g, 32, 32e, 32f, 65a, 77, 98d, 99a, and 99i; and to repeal acts and parts of acts.

The motion prevailed.

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

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Reps. Marleau, Meekhof, Elsenheimer, Schuitmaker, Palsrok and Meltzer, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Article V, Section 18 of the Michigan constitution states, ‘...proposed expenditures from any fund shall not exceed the estimated revenue thereof...’ HB 4359 makes it highly unlikely that the Legislature could meet the above provision without either severely cutting important programs or dramatically raising taxes on Michigan’s working families. Support of HB 4359 would severely hamper the Legislature’s ability to fund other important programs such as programs for seniors, Medicaid, local revenue sharing, police and fire protection and many other essential programs. Furthermore, support of HB 4359 would require massive tax increases that will adversely affect Michigan’s working families and businesses. Such action is irresponsible, and would lead to further economic upheaval as Michigan continues to struggle for its survival.

I stand ready to work in a constructive, bi-partisan way to solve Michigan’s budget crisis. I anxiously await the opportunity to vote on the Senate’s budget – one based on reality and not cheap political rhetoric.”

Rep. Huizenga, 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 believe this vote and the spending levels demonstrated in this and similar bills violate Article 5, Section 16 of the State Constitution which requires Michigan to spend no more than it’s revenues. Since there has been no vote on increasing revenue or taxes we therefore must base our budgets on current budget estimates. This and the other budget bills we are voting on this evening violate that requirement.”

Rep. Agema, 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:

There is no funding for this increase. Article V, sec 18 says that expenditures shall not exceed the estimated revenues. This does This is irresponsible.”

Rep. Stahl, 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:

There has not been enough time for proper examination of this bill. With estimated revenue for the school aid fund being less than the proposed expenditure demonstrates irresponsible action.

It states in the Michigan Constitution that ‘ proposed expenditures from any fund shall not exceed the estimated revenue there of ’ Article V, Section 18.

School districts depending on honest and mature funding projections deem it necessary to depend on real figures to balance their budgets. Cuts later would prove devastating later in the school year.

HB 4359 makes it highly unlikely that the Legislature could meet the above provision without either severely cutting important programs or dramatically raising taxes on Michigan’s working families. Support of HB 4359 would severely hamper the Legislature’s ability to fund other important programs such as programs for seniors, Medicaid, local revenue sharing, police and fire protection and many other essential programs. Furthermore, support of HB 4359 would require massive tax increases that will adversely affect Michigan’s working families and businesses. Such action is irresponsible, and would lead to further economic upheaval as Michigan continues to struggle for its survival.

I stand ready to work in a constructive, bi-partisan way to solve Michigan’s budget crisis. I anxiously await the opportunity to vote on the Senate’s budget – one based on reality and not cheap political rhetoric.”

Rep. Emmons, 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:

Due to the requirement of Article V, Section 18 of the Michigan Constitution which states, ‘...proposed expenditures from any fund shall not exceed the estimated revenue thereof..’ I consider it irresponsible to vote in support of a bill that overspends anticipated revenue by several million dollars.”



Rep. Shaffer, 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:

In accordance with Article V, Section 18 of the Michigan Constitution: ‘...proposed expenditures from any fund shall not exceed the estimated revenue thereof....’. HB4359 makes it very highly unlikely that the Legislature could meet the above provision without either severely cutting important programs or dramatically raising taxes on Michigan’s hard working families. By supporting HB4359, I believe that this action would severely hamper the ability of the Michigan Legislature to fund existing programs that would include Medicaid funding for children and seniors, Revenue Sharing for our counties support of police, fire, and other essential county services. Without question, by supporting HB 4359 massive tax increases would be needed to fund the proposed expenditures. Michigan’s citizens and businesses would indeed be adversely affected.

I stand ready to work on Michigan’s budget to make responsible reforms that will make it possible to meet the expenditures of the many fine services that we currently enjoy.”



Associate Speaker Pro Tempore Byrnes called Associate Speaker Pro Tempore Jackson to the Chair.

Rep. Alma Smith moved that Rep. Meadows be excused temporarily from today’s session.  
The motion prevailed.

**House Bill No. 4492, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts. (The bill was passed, motion made to grant immediate effect and motion postponed for the day on August 8, see House Journal No. 75, p. 1224.)

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 309**

**Yeas—57**

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

**Nays—51**

Acciavatti	Garfield	Meltzer	Robertson
Agema	Green	Moolenaar	Rocca
Ball	Hansen	Moore	Schuitmaker
Booher	Hildenbrand	Moss	Scott

Brandenburg	Hoogendyk	Nitz	Shaffer
Calley	Huizenga	Nofs	Sheen
Casperson	Hune	Opsommer	Stahl
Caswell	Jones, Rick	Palmer	Stakoe
Caul	Knollenberg	Palsrok	Steil
DeRoche	LaJoy	Pastor	Walker
Elsenheimer	Law, David	Pavlov	Ward
Emmons	Marleau	Pearce	Wenke
Gaffney	Meekhof	Proos	

In The Chair: Jackson

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

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4360, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Tobocman and Vagnozzi

Nays: Reps. Acciavatti, Caswell, Amos, Agema and Moss

#### Second Reading of Bills

##### **House Bill No. 4360, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Bauer 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. Agema moved to amend the bill as follows:

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

“Sec. 243. A community college that receives an appropriation under this act shall not reduce or discount the net tuition and fees paid by an individual illegally residing within this country below the standard nonresident tuition and fee rate charged by that institution.”.

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

Rep. Tobocman moved to reconsider the vote by which the House did not adopt the amendment.

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

The question being on the adoption of the amendment offered by Rep. Agema,  
Rep. Tobocman moved that consideration of the bill be postponed temporarily.  
The motion prevailed.

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

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4350, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.  
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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Spade, Tobocman, Vagnozzi and Brandenburg  
Nays: Reps. Acciavatti, Caswell, Amos, Booher, Agema and Moss

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported  
**House Bill No. 4351, entitled**

A bill to make appropriations for Michigan State University, University of Michigan – Ann Arbor, and Wayne State University for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.  
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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Spade, Tobocman, Vagnozzi and Brandenburg  
Nays: Reps. Acciavatti, Caswell and Booher

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, August 22, 2007

Present: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Tobocman, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

#### Second Reading of Bills

**House Bill No. 4350, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2008; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Appropriations,

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

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

1. Amend page 1, line 4, after "for" by striking out "certain".

2. Amend page 3, following line 17, by inserting:

**"Sec. 107. MICHIGAN STATE UNIVERSITY**

Operations.....	\$ 306,198,900
Agricultural experiment station.....	34,672,800
Cooperative extension service.....	29,176,400
GROSS APPROPRIATION.....	\$ <u>370,048,100</u>

Appropriated from:

State general fund/general purpose .....	\$ 370,048,100"
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renumbering the remaining subsections, and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 4, following line 10, by inserting:

**"Sec. 112. UNIVERSITY OF MICHIGAN - ANN ARBOR**

Operations.....	\$ 343,163,200
GROSS APPROPRIATION.....	\$ <u>343,163,200</u>

Appropriated from:

State general fund/general purpose .....	\$ 343,163,200"
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renumbering the remaining subsections, and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 4, following line 20, by inserting:

**"Sec. 115. WAYNE STATE UNIVERSITY**

Operations.....	\$ 231,656,100
GROSS APPROPRIATION.....	\$ <u>231,656,100</u>

Appropriated from:

State general fund/general purpose .....	\$ 231,656,100"
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renumbering the remaining subsections, and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 4, line 27, by striking out "56,825,200" and inserting "138,736,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

"University research corridor .....	\$ 500,000"
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and adjusting the subtotals, totals, and section 201 accordingly.

7. Amend page 8, line 1, by striking out all of section 212 and inserting:

"Sec. 212. (1) The funds appropriated in part 1 to state institutions of higher education, except for the 1-time supplemental payment described in subsection (2), shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions in 11 equal monthly installments on the 16th of each month, or the next succeeding business day, beginning with October 16, 2007. Except for Wayne State University, each institution shall accrue its July and August 2008 payments to its institutional fiscal year ending June 30, 2008.

(2) The funds appropriated in part 1 to state institutions of higher education for the 1-time supplemental payment shall be paid out of the state treasury and distributed by the state treasurer to the respective institutions on October 16, 2007. The payment made to each institution shall be equal to the sum of the delayed payment reduction contained in Executive Order 2007-3 and the payment delay reduction contained in section 112 of 2007 PA 17. Except for Wayne State University, each state institution of higher education shall accrue this payment to its institutional fiscal year ending June 30, 2007. Wayne State University shall accrue this payment to its institutional fiscal year ending September 30, 2007.

(3) All universities shall submit higher education institutional data inventory (HEIDI) data and associated financial and program information requested by and in a manner prescribed by the state budget director. For universities with fiscal years ending June 30, 2007, these data shall be submitted to the state budget director by October 15, 2007. Universities with a fiscal year ending September 30, 2007 shall submit preliminary HEIDI data by November 15, 2007 and final data by December 15, 2007. If a university fails to submit HEIDI data and associated financial aid program information in accordance with this reporting schedule, the state treasurer shall withhold the monthly installments under subsection (1) to the university until those data are submitted.

(4) A detailed description of procedures utilized to arrive at the amounts appropriated in part 1 shall be submitted to each institution by the senate and house fiscal agencies."

8. Amend page 9, following line 22, by inserting:

"Sec. 216. (1) The funds appropriated in part 1 for the university research corridor shall be paid only to a legal entity to be jointly formed by the 15 state universities. The purposes of the university research corridor shall include, but not be limited to, the following:

(a) Encourage collaborative research efforts between the 15 universities leading to economic development within this state.

(b) Establish research partnerships with businesses in this state.

(c) Publicize the research assets and efforts of the 15 universities to businesses and researchers in other states.

(2) Not later than September 15, 2008, the university research corridor shall submit to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director a report on its efforts under subsection (1) and a detailed accounting of the expenditures from the appropriation in part 1.”

9. Amend page 18, following line 21, by inserting:

“Sec. 402. The University of Michigan biological station at Douglas Lake in Cheboygan County is regarded as a unique resource and is designated as a special research reserve. It is the intent of the legislature to protect and preserve the unique long-term research value and capabilities of the biological station area and Douglas Lake. The legislature further intends that no state programs or policies be developed that would have a deleterious impact on the research value of Douglas Lake.”

10. Amend page 19, following line 26, by inserting:

“Sec. 433. (1) Included in part 1 is \$2,953,400.00 for the agricultural experiment station and \$2,619,000.00 for the cooperative extension service for project GREEN. Project GREEN is intended to address critical regulatory, food safety, economic, and environmental problems faced by this state’s plant-based agriculture, forestry, and processing industries. “GREEN” is an acronym for generating research and extension to meet environmental and economic needs.

(2) The department of agriculture and Michigan State University, in consultation with agricultural commodity groups and other interested parties, shall develop project GREEN and its program priorities.

(3) Not later than September 30, 2008, a report shall be submitted by Michigan State University to the state budget director, the house and senate appropriations subcommittees on agriculture and on higher education, and the house and senate fiscal agencies for the preceding fiscal year regarding project GREEN projects. The report shall include, but is not limited to, the dollar amount of each project and a review of each project’s performance and accomplishments.”

11. Amend page 21, following line 19, by inserting:

“Michigan State University ..... 990,000.00”.

12. Amend page 21, following line 21, by inserting:

“University of Michigan – Ann Arbor..... 3,484,700.00”.

13. Amend page 21, following line 23, by inserting:

“Wayne State University ..... 762,900.00”.

14. Amend page 29, line 6, by striking out all of section 701a and inserting:

“Sec. 701a. (1) Pursuant to section 701(2)(e), state institutions of higher education may establish the following degree programs:

(a) Bachelor’s degree programs:

- Central Michigan University, Integrated Science, B.S. in Ed.
- Central Michigan University, Law and Economics, B.A., B.S., B.S. in B.A.
- Central Michigan University, Meteorology, B.S.
- Eastern Michigan University, Cross Disciplinary Studies, B.A./B.S.
- Eastern Michigan University, Information Assurance, B.A./B.S.
- Eastern Michigan University, Supply Chain Management, B.B.A.
- Grand Valley State University, Chinese Studies Major, B.A.
- Lake Superior State University, Physical Science: Teaching, B.S.
- Lake Superior State University, School of Education, B. Ed.
- Michigan State University, Residential College in the Arts and Humanities, B.A.
- University of Michigan - Flint, Biochemistry, B.S.
- University of Michigan - Flint, Theatre Design and Technology, B.S.
- University of Michigan - Flint, Visual Communication, B.F.A.
- Wayne State University, Radiologic Technology, B.S.

(b) Master’s degree programs:

- Eastern Michigan University, Integrated Marketing Communications, M.S.
- Oakland University, Safety Management, M.S.
- University of Michigan - Ann Arbor, Clinical Research, M.S.
- University of Michigan - Ann Arbor, Supply Chain Management, Masters
- University of Michigan - Dearborn, Master of Science in Management Information Systems, M.S.
- University of Michigan - Flint, English, M.A.
- Wayne State University, Joint-Library and Information Science and History, M.A.

(c) Doctoral degree programs:

- Michigan State University, Quantitative Biology Dual Major, Ph.D.
- Michigan Technological University, Atmospheric Sciences, Ph.D.
- Oakland University, Doctor of Nursing Practice, D.N.P.
- Oakland University, Music Education, Ph.D.
- Wayne State University, Business Administration, Ph.D.
- Wayne State University, Joint Pharm.D/Ph.D., Pharm.D, Ph.D.

(2) The listing of degree programs in subsection (1) does not constitute legislative intent to provide additional dollars for those programs.

(3) When submitting the listing of new degree programs for future fiscal years, the presidents council shall also provide a listing of degree programs that state institutions of higher education will no longer offer in subsequent academic years.”.

15. Amend page 31, following line 15, by inserting:

“Sec. 712. By February 1, 2008, each of Michigan’s state universities receiving appropriations in part 1 shall submit to the house and senate appropriations subcommittees on higher education, the state budget director, and the house and senate fiscal agencies a report on the following:

(a) The number of students who graduated from the university in academic year 2005-2006 and academic year 2006-2007 with an advanced degree in mathematics, science, health care, or engineering, and the number of those graduates that remained in Michigan to work.

(b) The projected numbers of graduates in each of the above-listed categories for the next 5 calendar years and plans or programs, if any, to increase the numbers of graduates in these categories.

(c) The status of the university’s state and regional economic development activities and the monetary value of these activities on the economy of Michigan. The report shall include efforts undertaken to assist the state and its communities with the development of programs and infrastructure necessary to expand businesses and jobs, including those in manufacturing, tourism, agriculture, and health care.

(d) Partnerships with other Michigan universities, community colleges, or other entities regarding new technology development including, but not limited to, life sciences, alternative energy, and advanced manufacturing and increasing college graduates in science, technology, engineering, and mathematics disciplines.

(e) Efforts to increase foreign investment and international trade, efforts to encourage international students to develop, locate, or partner with Michigan-based businesses upon graduation, and efforts to identify economic development leads or prospects in national or international markets for Michigan business for referral to state, regional, or local economic development officials.

(f) The impact of research and technology development undertaken by the university, including, but not limited to, all of the following:

(i) The amount of private, state, and federal research funding received by the university.

(ii) The total amount of research spending by the university.

(iii) The number of new invention disclosures filed by university faculty, researchers, and graduate students.

(iv) The number of start-up companies formed based on university-generated inventions and the number of those companies headquartered in Michigan.

(v) The number of new licensing agreements with corporate partners and the amount of university revenue generated from licensing new technologies.

(vi) The number of patent applications filed by the university and the number of patents granted to the university.

(vii) The number of jobs created or retained in Michigan attributed to university-generated research and technology transfer.

Sec. 713. (1) In light of the state’s current economic conditions, it is the intent of the legislature that, to the extent possible, state universities consolidate programs, services, and resources among themselves in order to realize economic efficiencies.

(2) By March 1, 2008, each state university shall submit a report on its efforts under subsection (1) to the house and senate appropriations subcommittees on higher education, the house and senate fiscal agencies, and the state budget director.

Sec. 714. Not later than February 1, 2008, each of the state universities receiving appropriations in part 1 shall submit to the state budget director, members of the house of representatives and the senate, and the house and senate fiscal agencies a report on the number of residents from an eligible county enrolled at the university and the quantifiable increase from the 2006-2007 academic year to the 2007-2008 academic year in outreach efforts to enroll students at the university from an eligible county. As used in this section, “eligible county” means a county in this state that meets both of the following:

(a) Has a population of not less than 700,000 and not more than 1,000,000 according to the most recent federal decennial census.

(b) Does not contain the main campus of a 4-year public university within its boundaries.”.

The question being on the adoption of the amendments offered by Reps. Caul and Alma Smith, Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Caul and Alma Smith,

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

**Roll Call No. 310****Yeas—51**

Agema	Garfield	Mayes	Sak
Amos	Green	Meekhof	Schuitmaker
Ball	Hansen	Melton	Shaffer
Booher	Hoogendyk	Meltzer	Sheen
Brown	Horn	Moolenaar	Smith, Alma
Calley	Huizenga	Moore	Spade
Casperson	Hune	Nitz	Stahl
Caul	Jones, Robert	Nofs	Stakoe
Coulouris	Knollenberg	Opsommer	Steil
Dean	Law, David	Palmer	Walker
DeRoche	LeBlanc	Pastor	Ward
Elsenheimer	Lindberg	Pearce	Wenke
Espinoza	Marleau	Proos	

**Nays—59**

Accavitti	Corriveau	Hopgood	Pavlov
Acciavatti	Cushingberry	Jackson	Polidori
Angerer	Dillon	Johnson	Robertson
Bauer	Donigan	Jones, Rick	Rocca
Bennett	Ebli	Lahti	Scott
Bieda	Emmons	LaJoy	Sheltrown
Brandenburg	Farrah	Law, Kathleen	Simpson
Byrnes	Gaffney	Leland	Smith, Virgil
Byrum	Gillard	Lemmons	Tobocman
Caswell	Gonzales	McDowell	Vagnozzi
Cheeks	Griffin	Meadows	Valentine
Clack	Hammel	Meisner	Warren
Clemente	Hammon	Miller	Wojno
Condino	Hildenbrand	Moss	Young
Constan	Hood	Palsrok	

In The Chair: Jackson

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

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Thursday, August 23, at 12:01 a.m.  
The motion prevailed.

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 Wednesday, August 22:  
**Senate Bill Nos. 232 238 240**

### Messages from the Senate

#### **House Bill No. 4517, entitled**

A bill to amend 1867 PA 20, entitled "An act relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof," by amending section 1 (MCL 565.491), as amended by 1992 PA 211.

The Senate has passed the bill and ordered that it be given immediate effect.

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

#### **House Bill No. 4519, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," by amending section 2 (MCL 565.452).

The Senate has passed the bill and ordered that it be given immediate effect.

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

#### **House Bill No. 4641, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 21 (MCL 280.21), as amended by 1989 PA 134.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), 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. 111, entitled**

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending section 41 (MCL 125.1041).

The Senate has passed the bill.

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

#### **Senate Bill No. 232, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The Senate has passed the bill.

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

#### **Senate Bill No. 238, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has passed the bill.

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

#### **Senate Bill No. 240, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2008; to provide for the imposition of fees; to provide for reports; to create certain



funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

**Senate Bill No. 624, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 613a, 614a, 615a, 624g, 641, and 759a (MCL 168.613a, 168.614a, 168.615a, 168.624g, 168.641, and 168.759a), section 613a as amended by 2003 PA 13, sections 614a and 615a as amended by 1999 PA 72, section 624g as amended by 1990 PA 7, section 641 as amended by 2005 PA 71, and section 759a as amended by 2006 PA 605, and by adding sections 615c and 759c; 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 Ethics and Elections.

**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 Senate has passed the bill.

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

**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 Senate has passed the bill.

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

**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 Senate has passed the bill.

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

**Senate Bill No. 675, entitled**

A bill to make, supplement, and adjust appropriations for certain capital outlay projects for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The Senate has passed the bill.

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

**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 Senate has passed the bill.

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

Associate Speaker Pro Tempore Jackson declared the House adjourned until Thursday, August 23, at 12:01 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives