

No. 131
STATE OF MICHIGAN
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House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Tuesday, December 11, 2007.

1:30 p.m.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—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—excused	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—excused	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—excused
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—excused
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Lamar Lemmons, Jr., from the 18th District, offered the following invocation:

“Almighty God, bless this House, as we gather here today.
Give us the strength, and wisdom to continue to do the work for the People and the State.
Bless our Men and Women serving in the Armed Forces.
In Jesus name these things We ask. Amen.”

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

Rep. Dean moved that Reps. Byrum, Cheeks and Wojno be excused from today’s session.
The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, December 6:

Senate Bill Nos. 956 967 981 982

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, December 7:

House Bill Nos.	5531	5532	5533	5534	5535	5536	5537	5538	5539	5540	5541	5542	5543	5544
	5545	5546	5547	5548	5549									
Senate Bill Nos.	957	958	959	960	961	962	963	964	965	966	968	969	970	971
	972	973	974	975	976	977	978	979	980					

Reports of Standing Committees

The Committee on Commerce, by Rep. Meisner, Chair, reported

Senate Bill No. 455, entitled

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending section 2 (MCL 125.2152), as amended by 2004 PA 17.

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. Meisner, Robert Jones, Clemente, Byrnes, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Rick Jones, Knollenberg and Meltzer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 11, 2007

Present: Reps. Meisner, Robert Jones, Accavitti, Clemente, Coulouris, Dean, Byrnes, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Rick Jones, Knollenberg and Meltzer

Absent: Reps. Byrum and Stakoe

Excused: Reps. Byrum and Stakoe

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Tuesday, December 11, 2007

Present: Reps. Coulouris, Johnson, Clemente, Mayes, Virgil Smith, Moore and Green

Absent: Reps. Robertson and Calley

Excused: Reps. Robertson and Calley

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 11, 2007

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

Messages from the Senate**House Bill No. 4550, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16b of chapter XVII (MCL 777.16b), as amended by 2006 PA 518.

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

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

House Bill No. 4551, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50 (MCL 750.50), as amended by 1998 PA 405.

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

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

Communications from State Officers

The following communication from the Department of Management and Budget was received and read:

November 30, 2007

The enclosed plans for the revolving funds operated by the Department of Management and Budget (DMB) are submitted for fiscal years 2007 and 2008 in accordance with Section 434 of Public Act No. 431 of 1984.

Any questions regarding this report may be directed to Michael Gilliland, DMB's Chief Financial Officer, at 335-1557.

Sincerely,

Lisa Webb Sharpe

Director

The communication was referred to the Clerk.

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

Notice of Filing
Administrative Rules

December 5, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of

Administrative Hearings and Rules filed at 4:47 P.M. this date, administrative rule (07-12-03) for the Department of Community Health, Entitled "*Dental X-Ray Installations*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

The communication was referred to the Clerk.

Announcements by the Clerk

December 7, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:
 Performance audit of the Motor Fuel Quality and Quantity Inspections and Enforcement Efforts, Laboratory Division, Department of Agriculture, December 2007.

Richard J. Brown
 Clerk of the House

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

House Bill No. 4401, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

The bill was read a second time.

Rep. Wenke moved to amend the bill as follows:

1. Amend page 3, following line 20, by inserting:

"Enacting section 1. It is the intent of the legislature that any additional expenses incurred by local units of government because of the amendatory act that added section 405(5) to the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.405, shall be paid by this state pursuant to an appropriation."

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

Rep. Wenke moved to amend the bill as follows:

1. Amend page 2, line 24, after "**PRODUCTS**" by striking out the balance of the subsection and inserting "**FOR 5 OR MORE YEARS.**"

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

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

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

Rep. Tobocman moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Rep. Angerer 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. 4401, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 405 (MCL 418.405), as amended by 1980 PA 457.

The bill was read a third time.
The question being on the passage of the bill,

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

Senate Bill No. 345, entitled

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 9 (MCL 207.559), as amended by 2006 PA 436.

The bill was read a third time.
The question being on the passage of the bill,
Rep. Angerer moved that the bill be re-referred to the Committee on Commerce.
The motion prevailed.

Rep. Hansen moved that Rep. Caswell be excused from the balance of today’s session.
The motion prevailed.

Senate Bill No. 450, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 601, 602, 604, 605, 2405, 2411, and 2412 (MCL 339.601, 339.602, 339.604, 339.605, 339.2405, 339.2411, and 339.2412), sections 601 and 602 as amended by 2005 PA 278, section 604 as amended by 1989 PA 261, and sections 2411 and 2412 as amended by 2001 PA 113, and by adding sections 606 and 2404a.

The bill was read a third time.
The question being on the passage of the bill,

Rep. Meisner moved to amend the bill as follows:

1. Amend page 2, line 26, after “**SECOND**” by inserting “**OR SUBSEQUENT**”.
2. Amend page 3, line 2, after “**OF**” by striking out “**A THIRD OR SUBSEQUENT OFFENSE**” and inserting “**AN OFFENSE THAT CAUSES DEATH OR SERIOUS INJURY**”.
3. Amend page 16, line 21, by striking out “**VIOLATION JUDGMENT**” and inserting “**FINE**”.
4. Amend page 17, following line 3, by striking out all of enacting section 2 and inserting:
“Enacting section 2. Sections 2405, 2411, and 2412 of the occupational code, 1980 PA 299, MCL 339.2405, 339.2411, and 339.2412, as amended by this amendatory act, and sections 606 and 2404a of the occupational code, 1980 PA 299, as added by this amendatory act, take effect June 1, 2008.”.

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

The question being on the passage of the bill,

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

Roll Call No. 586

Yeas—100

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

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

Nays—5

Agema	Hoogendyk	Palmer	Sheen
Garfield			

In The Chair: Sak

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Senate Bill No. 451, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142, and by adding section 2975a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Meisner moved to amend the bill as follows:

1. Amend page 4, following line 5, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act takes effect June 1, 2008.”.

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

The question being on the passage of the bill,

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

Roll Call No. 587**Yeas—101**

Accavitti	Donigan	Lahti	Pavlov
Acciavatti	Ebli	LaJoy	Pearce

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

Nays—4

Garfield	Hoogendyk	Palmer	Sheen
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In The Chair: Sak

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Senate Bill No. 452, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 601, 602, 605, 2402, 2404, 2405, and 2411 (MCL 339.601, 339.602, 339.605, 339.2402, 339.2404, 339.2405, and 339.2411), sections 601 and 602 as amended by 2005 PA 278, section 2404 as amended by 1988 PA 463, and section 2411 as amended by 2001 PA 113, and by adding sections 2404b and 2411a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Meisner moved to amend the bill as follows:

1. Amend page 2, line 25, after “**SECOND**” by inserting “**OR SUBSEQUENT**”.
2. Amend page 3, line 1, after “**OF**” by striking out “**A THIRD OR SUBSEQUENT OFFENSE**” and inserting “**AN OFFENSE THAT CAUSES DEATH OR SERIOUS INJURY**”.

3. Amend page 22, following line 18, by striking out all of enacting section 2 and inserting:

“Enacting section 2. Sections 2402, 2404, 2405, and 2411 of the occupational code, 1980 PA 299, MCL 339.2402, 339.2404, 339.2405, and 339.2411, as amended by this amendatory act, and sections 2404b and 2411a of the occupational code, 1980 PA 299, as added by this amendatory act, take effect June 1, 2008.”.

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

The question being on the passage of the bill,

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

Roll Call No. 588

Yeas—88

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

Nays—17

Acciavatti	Hoogendyk	Moolenaar	Palmer
Agema	Knollenberg	Moore	Pastor
Brandenburg	Marleau	Moss	Sheen
Caul	Meltzer	Opsommer	Walker
Garfield			

In The Chair: Sak

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Senate Bill No. 453, entitled

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending section 39 (MCL 338.2239), as amended by 2003 PA 87.

The bill was read a third time.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

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

Roll Call No. 589

Yeas—83

Accavitti	Donigan	Jones, Robert	Polidori
Acciavatti	Ebli	Lahti	Proos
Angerer	Emmons	LaJoy	Rocca
Ball	Espinoza	Law, David	Sak
Bauer	Farrah	Law, Kathleen	Scott
Bennett	Gaffney	LeBlanc	Shaffer
Bieda	Gillard	Leland	Sheltrown
Booher	Gonzales	Lemmons	Simpson
Brown	Green	Lindberg	Smith, Alma
Byrnes	Griffin	Marleau	Smith, Virgil
Calley	Hammel	Mayes	Spade
Casperson	Hammon	McDowell	Stahl
Clack	Hansen	Meadows	Stakoe
Clemente	Hildenbrand	Meekhof	Steil
Condino	Hood	Meisner	Tobocman
Constan	Hopgood	Melton	Vagnozzi
Corriveau	Huizenga	Miller	Valentine
Coulouris	Hune	Nitz	Warren
Cushingberry	Jackson	Nofs	Wenke
Dean	Johnson	Palsrok	Young
Dillon	Jones, Rick	Pearce	

Nays—22

Agema	Garfield	Moore	Pavlov
Amos	Hoogendyk	Moss	Robertson
Brandenburg	Horn	Opsommer	Schuitmaker
Caul	Knollenberg	Palmer	Sheen
DeRoche	Meltzer	Pastor	Walker
Elsenheimer	Moolenaar		

In The Chair: Sak

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

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

A bill to amend 1979 PA 152, entitled “An act to provide for the establishment and collection of fees for the investigation, regulation, and enforcement of certain occupations and professions, and for certain agencies and businesses; to create certain funds for certain purposes; and to prescribe certain powers and duties of certain state agencies and departments,” by amending section 39 (MCL 338.2239), as amended by 2007 PA 77.

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.

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

Senate Bill No. 386, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520b, 520c, 520d, and 520e (MCL 750.520b, 750.520c, 750.520d, and 750.520e), section 520b as amended by 2006 PA 169, section 520c as amended by 2006 PA 171, and sections 520d and 520e as amended by 2002 PA 714.

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

Roll Call No. 590

Yeas—104

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

Nays—0

In The Chair: Sak

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

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

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to

provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 520a, 520b, 520c, 520d, and 520e (MCL 750.520a, 750.520b, 750.520c, 750.520d, and 750.520e), sections 520a and 520c as amended by 2006 PA 171, section 520b as amended by 2006 PA 169, and sections 520d and 520e as amended by 2002 PA 714.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 730, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 4, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

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

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 730, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 4, 6, 504, 524, 605, 701, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.524, 380.605, 380.701, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 524 as added by 2003 PA 179, section 605 as amended by 1985 PA 86, section 1311 as amended by 1999 PA 23, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186.

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

Roll Call No. 591

Yeas—104

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

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

Nays—0

In The Chair: Sak

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

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

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 4, 6, 504, 605, 701, 859, 861, 1296, 1311, 1311g, 1321, 1701, 1701a, 1711, 1723, 1724, 1751, 1752, 1756, 1757, and 1761 (MCL 380.4, 380.6, 380.504, 380.605, 380.701, 380.859, 380.861, 380.1296, 380.1311, 380.1311g, 380.1321, 380.1701, 380.1701a, 380.1711, 380.1723, 380.1724, 380.1751, 380.1752, 380.1756, 380.1757, and 380.1761), section 4 as amended by 2005 PA 61, sections 6, 701, 859, 861, and 1724 as amended by 2003 PA 299, sections 504 and 1701a as amended by 1994 PA 416, section 605 as amended by 1985 PA 86, section 1311 as amended by 2007 PA 138, section 1311g as amended by 2007 PA 21, section 1321 as amended by 1990 PA 163, section 1723 as amended by 2004 PA 415, and section 1752 as added by 2006 PA 186, and by adding section 504c; 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.

Second Reading of Bills

Senate Bill No. 241, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 1, 2a, 2b, 3c, 3d, 3e, 5, 5f, 5g, 9a, and 11b (MCL 722.111, 722.112a, 722.112b, 722.113c, 722.113d, 722.113e, 722.115, 722.115f, 722.115g, 722.119a, and 722.121b), section 1 as amended by 2005 PA 202, section 2a as amended by 1998 PA 440, section 2b as added by 2004 PA 531, section 3c as added by 1993 PA 219, section 3d as added by 1993 PA 218, section 3e as added by 2002 PA 717, sections 5 and 5f as amended by 2006 PA 580, section 5g as added by 2005 PA 128, section 9a as amended by 2004 PA 315, and section 11b as added by 2002 PA 645.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 241, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 1, 2a, 2b, 3c, 3d, 3e, 5, 5f, 5g, 9a, and 11b (MCL 722.111, 722.112a, 722.112b, 722.113c, 722.113d, 722.113e, 722.115, 722.115f, 722.115g, 722.119a, and 722.121b), section 1 as amended by 2005 PA 202, section 2a as amended by 1998 PA 440, section 2b as added by 2004 PA 531, section 3c as added by 1993 PA 219, section 3d as added by 1993 PA 218, section 3e as added by 2002 PA 717, sections 5 and 5f as amended by 2006 PA 580, section 5g as added by 2005 PA 128, section 9a as amended by 2004 PA 315, and section 11b as added by 2002 PA 645.

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

Roll Call No. 592

Yeas—104

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

Dillon
Donigan

Jones, Robert
Knollenberg

Palsrok
Pastor

Wenke
Young

Nays—0

In The Chair: Sak

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

Second Reading of Bills

Senate Bill No. 242, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending sections 102 and 206 (MCL 125.3102 and 125.3206).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 242, entitled

A bill to amend 2006 PA 110, entitled “Michigan zoning enabling act,” by amending sections 102 and 206 (MCL 125.3102 and 125.3206).

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

Roll Call No. 593

Yeas—104

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

Constan	Huizenga	Moss	Tobocman
Corriveau	Hune	Nitz	Vagnozzi
Coulouris	Jackson	Nofs	Valentine
Cushingberry	Johnson	Opsommer	Walker
Dean	Jones, Rick	Palmer	Warren
Dillon	Jones, Robert	Palsrok	Wenke
Donigan	Knollenberg	Pastor	Young

Nays—0

In The Chair: Sak

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

“An act to codify the laws regarding local units of government regulating the development and use of land; to provide for the adoption of zoning ordinances; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to prescribe the powers and duties of certain officials; to provide for the assessment and collection of fees; to authorize the issuance of bonds and notes; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 243, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

The bill was read a second time.

Rep. Clack moved to substitute (H-1) the bill.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 243, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15g of chapter XVII (MCL 777.15g), as amended by 2005 PA 134.

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

Roll Call No. 594

Yeas—104

Accavitti	Ebli	Lahti	Pavlov
Acciavatti	Elsenheimer	LaJoy	Pearce
Agema	Emmons	Law, David	Polidori
Amos	Espinoza	Law, Kathleen	Proos
Angerer	Farrah	LeBlanc	Robertson

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

Nays—0

In The Chair: Sak

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 534, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 2 (MCL 125.2652), as amended by 2006 PA 32.

The bill was read a second time.

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

The motion prevailed.

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

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

Senate Bill No. 534, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 2 (MCL 125.2652), as amended by 2006 PA 32.

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

Roll Call No. 595

Yeas—104

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

Nays—0

In The Chair: Sak

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

“An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 539, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 16 (MCL 125.2666), as amended by 2000 PA 145.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 539, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 16 (MCL 125.2666), as amended by 2000 PA 145.

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

Roll Call No. 596

Yeas—105

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

Nays—0

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

“An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing.”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 59, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 9c.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Transportation,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

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

The motion did not prevail and the substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Hopgood moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 59, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 9c.

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

Roll Call No. 597

Yeas—104

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

DeRoche
Dillon

Jones, Robert
Knollenberg

Palsrok
Pastor

Wenke
Young

Nays—1

Garfield

In The Chair: Sak

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

Second Reading of Bills

Senate Bill No. 455, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 2004 PA 17.

The bill was read a second time.
Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.
Rep. Angerer moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.



Rep. Hansen moved that Rep. DeRoche 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. 455, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 2004 PA 17.

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

Roll Call No. 598

Yeas—76

Acciavatti
Agema
Amos
Angerer
Ball
Booher
Brandenburg
Brown
Byrnes

Espinoza
Farrah
Gaffney
Garfield
Gonzales
Green
Griffin
Hammel
Hansen

LaJoy
Law, David
Lemmons
Marleau
Mayes
McDowell
Meekhof
Meisner
Meltzer

Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen

Calley	Hildenbrand	Moolenaar	Sheltrown
Casperson	Hoogendyk	Moore	Simpson
Caul	Hopgood	Moss	Spade
Clack	Horn	Nitz	Stahl
Clemente	Huizenga	Nofs	Stakoe
Corriveau	Hune	Opsommer	Steil
Dean	Jones, Rick	Palmer	Vagnozzi
Ebli	Jones, Robert	Palsrok	Valentine
Elsenheimer	Knollenberg	Pastor	Walker
Emmons	Lahti	Pavlov	Wenke

Nays—28

Accavitti	Cushingberry	Johnson	Miller
Bauer	Dillon	Law, Kathleen	Scott
Bennett	Donigan	LeBlanc	Smith, Alma
Bieda	Gillard	Leland	Smith, Virgil
Condino	Hammon	Lindberg	Tobocman
Constan	Hood	Meadows	Warren
Coulouris	Jackson	Melton	Young

In The Chair: Sak

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

“An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 5511, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 437 (MCL 208.1437).

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5511, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 437 (MCL 208.1437).

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

Roll Call No. 599**Yeas—78**

Accavitti	Ebli	Jones, Robert	Pavlov
Angerer	Elsenheimer	Lahti	Polidori
Ball	Espinoza	LaJoy	Rocca
Bauer	Farrah	Law, David	Sak
Bennett	Gaffney	Law, Kathleen	Schuitmaker
Bieda	Garfield	LeBlanc	Scott
Brandenburg	Gillard	Leland	Shaffer
Brown	Gonzales	Lemmons	Sheltrown
Byrnes	Griffin	Lindberg	Simpson
Casperson	Hammel	Mayes	Smith, Alma
Clack	Hammon	McDowell	Smith, Virgil
Clemente	Hansen	Meadows	Spade
Condino	Hildenbrand	Meekhof	Tobocman
Constan	Hood	Meisner	Vagnozzi
Corriveau	Hoogendyk	Melton	Valentine
Coulouris	Hopgood	Miller	Walker
Cushingberry	Horn	Nofs	Warren
Dean	Huizenga	Palsrok	Wenke
Dillon	Jackson	Pastor	Young
Donigan	Johnson		

Nays—26

Acciavatti	Green	Moore	Proos
Agema	Hune	Moss	Robertson
Amos	Jones, Rick	Nitz	Sheen
Booher	Knollenberg	Opsommer	Stahl
Calley	Marleau	Palmer	Stakoe
Caul	Meltzer	Pearce	Steil
Emmons	Moolenaar		

In The Chair: Sak

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

The House returned to the consideration of
House Bill No. 4401, entitled
 A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 405 (MCL 418.405), as amended by 1980 PA 457.
 (The bill was considered earlier today, see today’s Journal, p. 2444.)
 The question being on the passage of the bill,

Rep. Moss moved to amend the bill.
 The question being on the seconding of the motion made by Rep. Moss,

Rep. Angerer moved that consideration of the amendment be postponed temporarily.
 The motion prevailed.

The question being on the passage of the bill,

Rep. Pavlov moved to amend the bill.

The question being on the seconding of the motion made by Rep. Pavlov,

Rep. Angerer moved that consideration of the bill be postponed for the day.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Mayes offered the following resolution:

House Resolution No. 239.

A resolution to memorialize the Congress of the United States to reauthorize the Beaches Environmental Assessment and Coastal Health Act and to increase and distribute more equitably funding for beach water quality monitoring to Michigan and other states.

Whereas, Beaches provide recreational opportunities for millions of people and support a thriving tourism industry. However, disease-causing bacteria, viruses, and other pathogens from sewage and other sources can contaminate water at beaches and increase the risk of swimmers getting sick; and

Whereas, Michigan has over 3,200 miles of Great Lakes shoreline and more than 905 swimming beaches but can only afford to monitor regularly water quality at less than 25 percent of those beaches. Swimmers at beaches without monitoring may be swimming in water that places their health at risk; and

Whereas, The federal Beaches Environmental Assessment and Coastal Health (BEACH) Act of 2000 authorizes funding to assist state and local programs that monitor water quality at beaches and notify the public of any problems. This funding is critical to maintain viable monitoring programs that protect public health, detect pollution sources, and increase public confidence in beach safety; and

Whereas, The current funding for coastal states does not accurately reflect monitoring needs. In the past, Congress has appropriated only \$10 million annually for 35 state and territorial programs despite an authorization for up to \$30 million; and

Whereas, These limited funds have been allocated in a manner that creates gross inequities in funding among the states and territories. Michigan receives less funding per shoreline mile or beach than most other states and territories. The Government Accountability Office (GAO) reported that some similarly situated states receive fifty times more funding than Michigan per shoreline mile; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to reauthorize the Beaches Environmental Assessment and Coastal Health Act and to increase and distribute more equitably funding for beach water quality monitoring to Michigan and other states; 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 Great Lakes and Environment.

Reps. Pastor, Brandenburg, LaJoy, Horn, Hoogendyk, Stahl, Casperson, Garfield, and Emmons offered the following resolution:

House Resolution No. 240.

A resolution to request that the Governor reimburse the community of Livonia for the jobs and economic losses resulting from the move of Quicken Loans to downtown Detroit.

Whereas, Quicken Loans is clearly one of the state's commercial success stories. From its home in Livonia, Quicken Loans has grown to become the nation's premier online mortgage lender. Indeed, with state and local financial assistance, Quicken Loans has expanded from 500 employees to over 4,000 in seven short years; and

Whereas, The Michigan Economic Development Corporation and Quicken Loans, however, have recently announced that, with the help of up to \$200 million in state incentives, the firm will relocate its operations to downtown Detroit. This move may be an economic shot-in-the-arm for the city of Detroit, but it is a devastating loss to the city of Livonia, which has made significant investments in economic development efforts on behalf of the firm. Indeed, in conjunction with a 2005 state-local financial assistance package that led to a major expansion of Quicken Loan's facility in Livonia, the city supported the project by providing a parking agreement for the mortgage lender's employees that alone was valued at \$200,000; and

Whereas, Economic development incentives are an important component in the state's job development efforts. These scarce resources should be directed toward strategies that promote new job development and the relocation of jobs into

Michigan, and not merely toward reshuffling the deck on workplace location of existing businesses. This type of economic development activity is more than just inefficient, it brings true economic harm to local businesses and local communities that have made significant investments mirroring those of the state. Clearly, the state should take responsibility for its actions and reimburse the city of Livonia for its loss of Quicken Loans. This reimbursement could be easily provided in the form of special tax incentives or revenue sharing enhancements; now, therefore, be it

Resolved by the House of Representatives, That we hereby request that the Governor reimburse the community of Livonia for the jobs and economic losses resulting from the move of Quicken Loans to downtown Detroit; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and the Michigan Economic Development Corporation.

The resolution was referred to the Committee on Commerce.

Reports of Standing Committees

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

House Bill No. 5375, entitled

A bill to authorize the creation of promise zones and implementation of promise zone development plans; to provide for the creation of promise zone authorities; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; and to prescribe powers and duties of certain state and local officials.

With the recommendation that the substitute (H-2) 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. Melton, Valentine, Angerer, Brown, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Scott and Hildenbrand

Nays: Reps. Moolenaar, Hoogendyk, Steil, Pearce, Knollenberg and Opsommer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 11, 2007

Present: Reps. Melton, Valentine, Angerer, Brown, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Scott, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Hildenbrand, Schuitmaker, Knollenberg and Opsommer

Absent: Rep. Byrum

Excused: Rep. Byrum

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Health Policy from further consideration of **Senate Bill No. 174**.

Rep. Angerer

Introduction of Bills

Reps. Young, Scott, Cushingberry, Hammon and Leland introduced

House Bill No. 5550, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2006 PA 661.

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

Reps. Stahl, Sheen, Sheltroun, Mayes, Rick Jones, Marleau, Calley, Agema, Palmer, Acciavatti, Pavlov, Hoogendyk, Brown, Shaffer, Casperson, DeRoche, Meltzer, Caul, Stakoe, Kathleen Law, Pastor, Horn, Elsenheimer, Moolenaar, Green, Spade, Garfield and Nofs introduced

House Bill No. 5551, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17760. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Meltzer, Horn and Hildenbrand introduced

House Bill No. 5552, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 253. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Miller introduced

House Bill No. 5553, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502, 11503, 11505, 11506, and 11514 (MCL 324.11502, 324.11503, 324.11505, 324.11506, and 324.11514), section 11502 as amended by 2004 PA 35, sections 11503 and 11506 as amended by 1998 PA 466, and section 11514 as amended by 2005 PA 243.

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

Rep. Stahl moved that the House adjourn.
The motion prevailed, the time being 4:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 12, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives