

**No. 133**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

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House Chamber, Lansing, Thursday, December 13, 2007.

12:00 Noon.

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—e/d/s	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—e/d/s	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—e/d/s	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. Jeff Mayes., from the 96th District, offered the following invocation:

“Dear Heavenly Father, as we gather today, we pray that You help guide us to make the right decisions for the future of Michigan.

Please instill us with the courage to make those decisions even when they are difficult ones to make.

Please grant us the wisdom to always act in ways that benefit all the hard-working people of Michigan.

We ask that You bless the public servants assembled here today to continue working toward the common goal of creating a better life for every man, woman and child in our great state.

We ask that, through Your grace, You grant us the ability to work together without strife.

We give thanks to You that we have been given the opportunity to serve the public, and in Your name, we offer this prayer.

Amen.”

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

Rep. Hansen moved that Reps. Pastor, Robertson and Meltzer be excused temporarily from today’s session.  
The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 5354, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16315 (MCL 333.16315), as amended by 2001 PA 232.

(The bill was received from the Senate on December 12, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 132, p. 2513.)

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

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

**Roll Call No. 625**

**Yeas—103**

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

Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Warren
Corriveau	Hune	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean	Jones, Robert	Pavlov	

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

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

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

The motion prevailed.

The Speaker laid before the House

**House Bill No. 4711, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 15 and 16 (MCL 125.2665 and 125.2666), section 15 as amended by 2006 PA 32 and section 16 as amended by 2000 PA 145.

(The bill was received from the Senate on December 12, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 132, p. 2513.)

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

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

**Roll Call No. 626****Yeas—105**

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

Clack	Horn	Moss	Tobocman
Clemente	Huizenga	Nitz	Vagnozzi
Condino	Hune	Nofs	Valentine
Constan	Johnson	Opsommer	Walker
Corriveau	Jones, Rick	Palmer	Warren
Coulouris	Jones, Robert	Palsrok	Wenke
Cushingberry	Knollenberg	Pastor	Wojno
Dean	Lahti	Pavlov	Young
Dillon			

**Nays—0**

In The Chair: Sak

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 4712, entitled**

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 13 (MCL 125.2663), as amended by 2006 PA 467.

(The bill was received from the Senate on December 12, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 132, p. 2513.)

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

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

**Roll Call No. 627****Yeas—106**

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

Cushingberry  
Dean  
DeRoche

Jones, Robert  
Knollenberg  
Lahti

Pastor  
Pavlov

Wojno  
Young

**Nays—0**

In The Chair: Sak

The House agreed to the full title.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Reps. Cheeks and Jackson entered the House Chambers.

Rep. Meekhof moved that Rep. Ball be excused temporarily from today’s session.  
The motion prevailed.

**Senate Bill No. 410, entitled**

A bill to amend 1986 PA 32, entitled “An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates,” by amending the title and sections 101, 102, 201, 202, 203, 205, 301, 302, 303, 307, 308, 312, 319, 320, and 401 (MCL 484.1101, 484.1102, 484.1201, 484.1202, 484.1203, 484.1205, 484.1301, 484.1302, 484.1303, 484.1307, 484.1308, 484.1312, 484.1319, 484.1320, and 484.1401), the title and section 308 as amended by 1994 PA 29, sections 102 and 303 as amended by 1999 PA 80, section 201 as amended by 1999 PA 78, section 205 as amended by 1998 PA 23, sections 301 and 401 as amended by 2006 PA 249, section 319 as added by 1989 PA 36, and section 320 as amended by 1998 PA 122, and by adding sections 401a, 401b, 401c, 401d, and 401e.

The Senate has amended the House substitute (H-9) as follows:

1. Amend page 25, line 4, after “charge” by inserting “**COLLECTED UNDER THIS SECTION**”.

The Senate has concurred in the House substitute (H-9) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

The question being on concurring in the amendment to the House substitute (H-9) made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 628**

**Yeas—92**

Accavitti  
Acciavatti  
Amos  
Angerer  
Bauer  
Bennett  
Booher  
Brown  
Byrnes

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Gillard

LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Mayes  
McDowell

Polidori  
Proos  
Robertson  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown  
Simpson

Byrum	Gonzales	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Miller	Stakoe
Cheeks	Hood	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Nitz	Vagnozzi
Condino	Huizenga	Nofs	Valentine
Constan	Jackson	Opsommer	Walker
Corriveau	Johnson	Palsrok	Warren
Coulouris	Jones, Rick	Pastor	Wenke
Cushingberry	Jones, Robert	Pavlov	Wojno
Dean	Lahti	Pearce	Young

### Nays—15

Agema	Garfield	Knollenberg	Palmer
Bieda	Green	Marleau	Rocca
Brandenburg	Hoogendyk	Meltzer	Sak
DeRoche	Hune	Moss	

In The Chair: Sak

### Second Reading of Bills

#### House Bill No. 4847, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

(The bill was read a second time, amended, amendment offered and bill postponed temporarily on September 25, see House Journal No. 96, p. 1564.)

Rep. Hune moved to amend the bill as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 303. (1) The secretary of state shall not issue a license under this act to any of the following persons:

- (a) A person, as an operator, who is less than 18 years of age, except as otherwise provided in this act.
- (b) A person, as a chauffeur, who is less than 18 years of age, except as otherwise provided in this act.
- (c) A person whose license is suspended, revoked, denied, or canceled in any state. If the suspension, revocation, denial, or cancellation is not from the jurisdiction that issued the last license to the person, the secretary of state may issue a license after the expiration of 5 years from the effective date of the most recent suspension, revocation, denial, or cancellation.
- (d) A person who in the opinion of the secretary of state is afflicted with or suffering from a physical or mental disability or disease preventing that person from exercising reasonable and ordinary control over a motor vehicle while operating the motor vehicle upon the highways.
- (e) A person who is unable to understand highway warning or direction signs in the English language.
- (f) A person who is unable to pass a knowledge, skill, or ability test administered by the secretary of state in connection with the issuance of an original operator's or chauffeur's license, original motorcycle indorsement, or an original or renewal of a vehicle group designation or vehicle indorsement.
- (g) A person who has been convicted of, has received a juvenile disposition for, or has been determined responsible for 2 or more moving violations under a law of this state, a local ordinance substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state within the preceding 3 years, if the violations occurred before issuance of an original license to the person in this state, another state, or another country.
- (h) A nonresident, including, but not limited to, a foreign exchange student.
- (i) A person who has failed to answer a citation or notice to appear in court or for any matter pending or fails to comply with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, in violation of section 321a, until that person answers the citation or notice to appear in court or for any matter pending

or complies with an order or judgment of the court, including, but not limited to, paying all fines, costs, fees, and assessments, as provided under section 321a.

(j) A person not licensed under this act who has been convicted of, has received a juvenile disposition for, or has been determined responsible for a crime or civil infraction described in section 319, 324, or 904. A person shall be denied a license under this subdivision for the length of time corresponding to the period of the licensing sanction that would have been imposed under section 319, 324, or 904 if the person had been licensed at the time of the violation.

(k) A person not licensed under this act who has been convicted of or received a juvenile disposition for committing a crime described in section 319e. A person shall be denied a license under this subdivision for the length of time that corresponds to the period of the licensing sanction that would have been imposed under section 319e if the person had been licensed at the time of the violation.

(l) A person not licensed under this act who is determined to have violated section 33b(1) of former 1933 (Ex Sess) PA 8, section 703(1) of the Michigan liquor control code of 1998, 1998 PA 58, MCL 436.1703, or section 624a or 624b of this act. The person shall be denied a license under this subdivision for a period of time that corresponds to the period of the licensing sanction that would have been imposed under those sections had the person been licensed at the time of the violation.

(m) A person whose commercial driver license application is canceled under section 324(2).

**(N) A PERSON WHO THE SECRETARY OF STATE DETERMINES IS IN THIS COUNTRY ILLEGALLY.**

(2) Upon receiving the appropriate records of conviction, the secretary of state shall revoke the operator's or chauffeur's license of a person and deny issuance of an operator's or chauffeur's license to a person having any of the following, whether under a law of this state, a local ordinance substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state:

(a) Any combination of 2 convictions within 7 years for reckless driving in violation of section 626.

(b) Any combination of 2 or more convictions within 7 years for any of the following:

(i) A felony in which a motor vehicle was used.

(ii) A violation or attempted violation of section 601b(2) or (3), section 601c(1) or (2), section 602a(4) or (5), section 617, section 653a(3) or (4), or section 904(4) or (5).

(iii) Negligent homicide, manslaughter, or murder resulting from the operation of a vehicle or an attempt to commit any of those crimes.

(iv) A violation or attempted violation of section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

(c) Any combination of 2 convictions within 7 years for any of the following or a combination of 1 conviction for a violation or attempted violation of section 625(6) and 1 conviction for any of the following within 7 years:

(i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

(ii) A violation or attempted violation of section 625m.

(iii) Former section 625b.

(d) One conviction for a violation or attempted violation of section 315(5), section 601b(3), section 601c(2), section 602a(4) or (5), section 617, section 625(4) or (5), section 653a(4), or section 904(4) or (5).

(e) One conviction of negligent homicide, manslaughter, or murder resulting from the operation of a vehicle or an attempt to commit any of those crimes.

(f) One conviction for a violation or attempted violation of section 479a(4) or (5) of the Michigan penal code, 1931 PA 328, MCL 750.479a.

(g) Any combination of 3 convictions within 10 years for any of the following or 1 conviction for a violation or attempted violation of section 625(6) and any combination of 2 convictions for any of the following within 10 years, if any of the convictions resulted from an arrest on or after January 1, 1992:

(i) A violation or attempted violation of section 625, except a violation of section 625(2), or a violation of any prior enactment of section 625 in which the defendant operated a vehicle while under the influence of intoxicating or alcoholic liquor or a controlled substance, or a combination of intoxicating or alcoholic liquor and a controlled substance, or while visibly impaired, or with an unlawful bodily alcohol content.

(ii) A violation or attempted violation of section 625m.

(iii) Former section 625b.

(3) The secretary of state shall revoke a license under subsection (2) notwithstanding a court order unless the court order complies with section 323.

(4) The secretary of state shall not issue a license under this act to a person whose license has been revoked under this act or revoked and denied under subsection (2) until all of the following occur, as applicable:

(a) The later of the following:

(i) The expiration of not less than 1 year after the license was revoked or denied.

(ii) The expiration of not less than 5 years after the date of a subsequent revocation or denial occurring within 7 years after the date of any prior revocation or denial.

(b) For a denial under subsection (2)(a), (b), (c), and (g), the person rebuts by clear and convincing evidence the presumption resulting from the prima facie evidence that he or she is a habitual offender. The convictions that resulted in the revocation and denial constitute prima facie evidence that he or she is a habitual offender.

(c) The person meets the requirements of the department.

(5) The secretary of state may deny issuance of an operator's license as follows:

(a) Until the age of 17, to a person not licensed under this act who was convicted of or received a juvenile disposition for violating or attempting to violate section 411a(2) of the Michigan penal code, 1931 PA 328, MCL 750.411a, involving a school when he or she was less than 14 years of age. A person not issued a license under this subdivision is not eligible to begin graduated licensing training until he or she attains 16 years of age.

(b) To a person less than 21 years of age not licensed under this act who was convicted of or received a juvenile disposition for violating or attempting to violate section 411a(2) of the Michigan penal code, 1931 PA 328, MCL 750.411a, involving a school when he or she was less than 14 years of age or older, until 3 years after the date of the conviction or juvenile disposition. A person not issued a license under this subdivision is not eligible to begin graduated licensing training or otherwise obtain an original operator's or chauffeur's license until 3 years after the date of the conviction or juvenile disposition.

(6) The secretary of state shall deny issuance of a vehicle group designation to a person if the person has been disqualified by the United States secretary of transportation from operating a commercial motor vehicle.

(7) Multiple convictions or civil infraction determinations resulting from the same incident shall be treated as a single violation for purposes of denial or revocation of a license under this section.

(8) As used in this section, "felony in which a motor vehicle was used" means a felony during the commission of which the person operated a motor vehicle and while operating the vehicle presented real or potential harm to persons or property and 1 or more of the following circumstances existed:

- (a) The vehicle was used as an instrument of the felony.
- (b) The vehicle was used to transport a victim of the felony.
- (c) The vehicle was used to flee the scene of the felony.
- (d) The vehicle was necessary for the commission of the felony."

The question being on the adoption of the amendment offered previously by Rep. Hune,  
Rep. Hune withdrew the amendment.

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

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

Rep. Hood 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. 4847, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

The bill was read a third time.

The question being on the passage of the bill,

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

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

### **Second Reading of Bills**

#### **House Bill No. 4847, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 819 (MCL 257.819), as amended by 1990 PA 168.



Rep. Tobocman moved to reconsider the vote by which the House adopted the substitute (H-6) offered previously by Rep. Tobocman.

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

The question being on the adoption of the substitute (H-6) offered previously by Rep. Tobocman,

Rep. Tobocman withdrew the substitute.

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

The motion prevailed.

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

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



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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4847, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 819 (MCL 257.819), as amended by 1990 PA 168.

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

**Roll Call No. 629**

**Yeas—57**

Accavitti	Dillon	Johnson	Polidori
Acciavatti	Elsenheimer	Jones, Robert	Proos
Amos	Espinoza	Lahti	Sak
Angerer	Farrah	Law, Kathleen	Schuitmaker
Bauer	Gillard	Leland	Scott
Bennett	Gonzales	Lemmons	Smith, Alma
Byrnes	Green	Mayes	Smith, Virgil
Calley	Hammel	McDowell	Spade
Caul	Hammon	Meadows	Tobocman
Cheeks	Hansen	Meekhof	Vagnozzi
Condino	Hildenbrand	Meisner	Warren
Constan	Hood	Melton	Wenke
Coulouris	Hopgood	Miller	Wojno
Cushingberry	Jackson	Nofs	Young
DeRoche			

**Nays—50**

Agema	Ebli	Lindberg	Pearce
Ball	Emmons	Marleau	Robertson
Bieda	Gaffney	Meltzer	Rocca
Booher	Garfield	Moolenaar	Shaffer
Brandenburg	Hoogendyk	Moore	Sheen
Brown	Horn	Moss	Sheltrown
Byrum	Huizenga	Nitz	Simpson
Casperson	Hune	Opsommer	Stahl
Caswell	Jones, Rick	Palmer	Stakoe

Clemente  
Corriveau  
Dean  
Donigan

Knollenberg  
LaJoy  
Law, David  
LeBlanc

Palsrok  
Pastor  
Pavlov

Steil  
Valentine  
Walker

In The Chair: Sak

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

Rep. Nitz, 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:  
The road funds should be used to repair the roads in the state of Michigan, and not be raided to balance the general fund.”

### Second Reading of Bills

#### Senate Bill No. 794, entitled

A bill to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 11 (MCL 247.911), as amended by 1993 PA 149.

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. 794, entitled

A bill to amend 1987 PA 231, entitled “An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds,” by amending section 11 (MCL 247.911), as amended by 1993 PA 149.

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

#### Roll Call No. 630

#### Yeas—56

Accavitti  
Acciavatti  
Angerer  
Bauer  
Bennett  
Byrnes

Dean  
DeRoche  
Dillon  
Elsenheimer  
Espinoza  
Farrah

Hopgood  
Jackson  
Johnson  
Jones, Robert  
Lahti  
Law, Kathleen

Nofs  
Polidori  
Proos  
Sak  
Schuitmaker  
Scott

Calley	Gillard	Leland	Smith, Alma
Caul	Gonzales	Lemmons	Smith, Virgil
Cheeks	Green	Mayes	Tobocman
Clemente	Hammel	McDowell	Vagnozzi
Condino	Hammon	Meadows	Warren
Constan	Hansen	Meisner	Wenke
Coulouris	Hildenbrand	Melton	Wojno
Cushingberry	Hood	Miller	Young

### Nays—51

Agema	Emmons	Marleau	Robertson
Amos	Gaffney	Meekhof	Rocca
Ball	Garfield	Meltzer	Shaffer
Bieda	Hoogendyk	Moolenaar	Sheen
Booher	Horn	Moore	Sheltrown
Brandenburg	Huizenga	Moss	Simpson
Brown	Hune	Nitz	Spade
Byrum	Jones, Rick	Opsommer	Stahl
Casperson	Knollenberg	Palmer	Stakoe
Caswell	LaJoy	Palsrok	Steil
Corriveau	Law, David	Pastor	Valentine
Donigan	LeBlanc	Pavlov	Walker
Ebli	Lindberg	Pearce	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Griffin entered the House Chambers.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved to vacate the enrollment of **House Bill No. 4506**.

The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 271, 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 section 5 (MCL 722.115), as amended by 2006 PA 580, and by adding sections 5h, 5i, 5j, and 5k.

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

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

Rep. Clack 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. 271, 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 section 5 (MCL 722.115), as amended by 2006 PA 580, and by adding sections 5h, 5i, 5j, and 5k.

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

#### Roll Call No. 631

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

#### Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

The Senate requested the return of  
**House Bill No. 4506, entitled**

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, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

(The bill was enrolled on November 8, see House Journal No. 121, p. 2260.)

Rep. Tobocman moved that the request of the Senate be granted.

The motion prevailed.

**Second Reading of Bills**

**Senate Bill No. 925, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 395 (MCL 18.1395), as amended by 2007 PA 2.

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. 925, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 395 (MCL 18.1395), as amended by 2007 PA 2.

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

**Roll Call No. 632**

**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	Mayer	Sheen

Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clemente	Hopgood	Moore	Tobocman
Condino	Horn	Moss	Vagnozzi
Constan	Huizenga	Nitz	Valentine
Corriveau	Hune	Nofs	Walker
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	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 prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Intergovernmental, Urban and Regional Affairs be discharged from further consideration of **Senate Bill No. 368**.

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

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

### Second Reading of Bills

#### Senate Bill No. 368, entitled

A bill to amend 1846 RS 14, entitled “Of county officers,” (MCL 48.35 to 48.48) by adding section 40a.

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. 368, entitled**

A bill to amend 1846 RS 14, entitled “Of county officers,” (MCL 48.35 to 48.48) by adding section 40a.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 633**

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

**Nays—0**

In The Chair: Sak

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

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

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

Rep. Tobocman moved that the Committee on Intergovernmental, Urban and Regional Affairs be discharged from further consideration of **Senate Bill No. 678**.

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

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

### Second Reading of Bills

#### Senate Bill No. 678, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 6 (MCL 129.96), as added by 1997 PA 196.

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. 678, entitled

A bill to amend 1943 PA 20, entitled "An act relative to the investment of funds of public corporations of the state; and to validate certain investments," by amending section 6 (MCL 129.96), as added by 1997 PA 196.

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

#### Roll Call No. 634

#### Yeas—95

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

#### Nays—13

Agema	Hoogendyk	Marleau	Opsommer
Calley	Huizenga	Meekhof	Palmer



Garfield  
Green

Knollenberg

Moss

Pastor

In The Chair: Sak

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

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

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

Rep. Tobocman moved that the Committee on Judiciary be discharged from further consideration of **Senate Bill No. 540**.  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **Senate Bill No. 540, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552 (MCL 750.552).  
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. 540, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 552 (MCL 750.552).  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 635

### Yeas—90

Accavitti	DeRoche	Jones, Rick	Palsrok
Acciavatti	Dillon	Jones, Robert	Pavlov
Agema	Donigan	LaJoy	Pearce
Amos	Ebli	Law, David	Polidori
Angerer	Elsenheimer	Law, Kathleen	Proos
Ball	Emmons	Leland	Robertson
Bauer	Espinoza	Lemmons	Rocca
Bieda	Farrah	Marleau	Schuitmaker
Booher	Gaffney	Mayes	Scott
Brown	Gillard	McDowell	Shaffer
Byrnes	Gonzales	Meadows	Sheltrown
Byrum	Green	Meekhof	Smith, Virgil
Calley	Griffin	Meisner	Stahl

Casperson	Hammel	Melton	Stakoe
Caswell	Hansen	Meltzer	Steil
Caul	Hildenbrand	Miller	Tobocman
Cheeks	Hood	Moolenaar	Vagnozzi
Clemente	Hopgood	Moore	Valentine
Constan	Horn	Moss	Walker
Corriveau	Huizenga	Nitz	Wenke
Coulouris	Hune	Nofs	Wojno
Cushingberry	Jackson	Palmer	Young
Dean	Johnson		

### Nays—18

Bennett	Hoogendyk	Opsommer	Simpson
Brandenburg	Knollenberg	Pastor	Smith, Alma
Condino	Lahti	Sak	Spade
Garfield	LeBlanc	Sheen	Warren
Hammon	Lindberg		

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, 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,”

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.

Rep. Hammon, 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:

A misdemeanor is simply too harsh a violation, I could support this bill if it was changed to a civil infraction.”

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 235.

A resolution to memorialize the Congress of the United States to enact the Temporary Tax Relief Act of 2007 to deal with the Alternative Minimum Tax.

(For text of resolution, see House Journal No. 126, p. 2314.)

(The resolution was reported by the Committee on Tax Policy on December 12, with substitute (H-2), consideration of which, under the rules, was postponed until today.)

(For substitute, see House Journal No. 132, p. 2476.)

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

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

Rep. Bieda moved to substitute (H-3) the resolution as follows:

**Substitute for House Resolution No. 235.**

A resolution to memorialize the Congress of the United States to enact legislation to deal with the Alternative Minimum Tax.

Whereas, The federal Alternative Minimum Tax was designed to help assure that wealthy taxpayers who took advantage of a number of tax credits and exemptions to escape paying taxes paid at least a minimum of their fair share of income taxes. Over the course of time, however, the target of the Alternative Minimum Tax has been misdirected away from those sheltering their income to the middle class taxpayer. This is largely due to the fact that the tax was never indexed for inflation; and

Whereas, Indeed, the Alternative Minimum Tax (AMT) was created in 1969 to help assure that a very small group of wealthy taxpayers could not take unfair advantage of the federal tax code. It was designed to kick in if excess credits and deductions resulted in these few taxpayers not paying their fair share of taxes. When the AMT was created, however, it was not indexed to the cost of living in any way. This has produced grossly distorted results over the course of the nearly four decades since it was adopted; and

Whereas, An estimated 19.9 million more wage earners could be subject to the Alternative Minimum Tax this year alone if action is not taken immediately. In addition, if tax reform is not adopted, the average taxpayer with children would see their taxes raised by \$500 per child, a family of four making \$60,000 would face an average tax increase of \$1,800 a year, approximately 26 million business owners would see an average tax increase of more than \$4,000 per year, and 5 million low-income taxpayers who currently pay no taxes would now be forced to pay taxes; and

Whereas, Moreover, for this tax year, taxpayers may be subject to the Alternative Minimum Tax if their regular taxable income exceeds \$62,550 unless the current income thresholds in the Internal Revenue Code are changed. Indeed, the "tax preference items" that trigger the Alternative Minimum Tax are far from tax shelters for the well-heeled. They include the personal exemption, the itemized deductions for property tax and state and local taxes, as well as the deduction for extraordinary medical expenses. Clearly, the Alternative Minimum Tax has more than earned its reputation as being nothing more than a stealth tax on the middle class; and

Whereas, Our tax code is founded on principles of horizontal and vertical equity, ease of compliance, and, above all, fairness. The Alternative Minimum Tax violates each and every one of these long-standing tenets of sound tax policy. The middle class now bears most of the burden of the AMT, and year after year the tax traps more and more innocent taxpayers. It is estimated that, by the year 2010, every family making more than \$75,000 will be punished with the AMT's extra tax penalty; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to enact legislation to deal with the Alternative Minimum Tax; 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 motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**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.

(For text of resolution, see House Journal No. 131, p. 2464.)

(The resolution was reported by the Committee on Great Lakes and Environment on December 12, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

## Second Reading of Bills

**Senate Bill No. 98, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan

transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2006 PA 178.

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. 98, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2006 PA 178.

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

**Roll Call No. 636****Yeas—99**

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

**Nays—9**

Caswell	Green	Opsommer	Sheen
Condino	Hoogendyk	Pastor	Wenke
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Meekhof moved that Rep. Ball be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 5105, entitled**

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 637****Yeas—65**

Accavitti	Espinoza	Lahti	Polidori
Bauer	Farrah	Law, Kathleen	Proos
Bennett	Gaffney	LeBlanc	Sak
Bieda	Gillard	Leland	Schuitmaker
Booher	Gonzales	Lemmons	Scott
Byrnes	Green	Lindberg	Shaffer
Calley	Griffin	Mayer	Sheltrown
Casperson	Hammel	McDowell	Smith, Alma
Caul	Hansen	Meadows	Smith, Virgil
Cheeks	Hildenbrand	Meekhof	Stakoe
Condino	Hood	Meisner	Tobocman
Coulouris	Hopgood	Melton	Vagnozzi
Cushingberry	Huizenga	Miller	Warren
Dean	Jackson	Nitz	Wenke
Dillon	Johnson	Pastor	Wojno
Donigan	Jones, Robert	Pearce	Young
Emmons			

**Nays—42**

Acciavatti	DeRoche	Law, David	Pavlov
Agema	Ebli	Marleau	Robertson
Amos	Elsenheimer	Meltzer	Rocca
Angerer	Garfield	Moolenaar	Sheen
Brandenburg	Hammon	Moore	Simpson
Brown	Hoogendyk	Moss	Spade
Byrum	Horn	Nofs	Stahl
Caswell	Hune	Opsommer	Steil
Clemente	Jones, Rick	Palmer	Valentine
Constan	Knollenberg	Palsrok	Walker
Corriveau	LaJoy		

In The Chair: Sak

The House agreed to the full title.

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

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

**House Bill No. 5409, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 451. 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 amended the title to read as follows:

A bill to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," (MCL 208.1101 to 208.1601) by adding section 450a.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 638****Yeas—107**

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

**Nays—0**

In The Chair: Sak

The House agreed to the title as amended.

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

**House Bill No. 5412, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 453. 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.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 639****Yeas—106**

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

**Nays—1**

Miller

In The Chair: Sak

The House agreed to the full title.

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

**House Bill No. 4869, entitled**

A bill to amend 2004 PA 403, entitled "Michigan boxing regulatory act," by amending sections 1, 10, 11, 12, 20, 21, 22, 31, 32, 33, 34, 35, 47, 48, 51, 53, 54, 55, 56, 57, and 58 (MCL 338.3601, 338.3610, 338.3611, 338.3612, 338.3620,



338.3621, 338.3622, 338.3631, 338.3632, 338.3633, 338.3634, 338.3635, 338.3647, 338.3648, 338.3651, 338.3653, 338.3654, 338.3655, 338.3656, 338.3657, and 338.3658), sections 11, 31, 33, 34, 47, 48, and 54 as amended by 2005 PA 49.

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.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 640**

**Yeas—94**

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

**Nays—13**

Ball	Green	Moolenaar	Stakoe
Bauer	Lahti	Sak	Vagnozzi
Bieda	Lindberg	Sheltrown	Walker
Clemente			

In The Chair: Sak

The House agreed to the full title.

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

**House Bill No. 5138, entitled**

A bill to amend 2000 PA 161, entitled “Michigan education savings program act,” by amending sections 2, 3, 4, 5, 7, 9, 11, 12, and 15 (MCL 390.1472, 390.1473, 390.1474, 390.1475, 390.1477, 390.1479, 390.1481, 390.1482, and 390.1485), sections 2, 7, and 9 as amended by 2004 PA 387 and section 3 as amended by 2001 PA 215.

The Senate has amended the bill as follows:

1. Amend page 6, line 16, after “exceed” by striking out “1.5%” and inserting “2.0%”.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 641**

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

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

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

**House Bill No. 5139, 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 Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net

income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 30 (MCL 206.30), as amended by 2007 PA 94.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 642****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
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Cheeks	Hoogendyk	Moolenaar	Steil
Clemente	Hopgood	Moore	Tobocman
Condino	Horn	Moss	Vagnozzi
Constan	Huizenga	Nitz	Valentine
Corriveau	Hune	Nofs	Walker
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pastor	Young

**Nays—0**

In The Chair: Sak

The House agreed to the title as amended.

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **Senate Bill No. 944**.

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

### Second Reading of Bills

#### Senate Bill No. 944, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 450.  
The bill was read a second time.

Rep. Bieda 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.

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Rep. Meekhof 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. 944, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 450.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 643

#### Yeas—106

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

Constan	Hune	Nofs	Valentine
Corriveau	Jackson	Opsommer	Walker
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti		

### Nays—1

Condino

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations,”

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. 513, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11503, 11505, 11506, and 11514 (MCL 324.11503, 324.11505, 324.11506, and 324.11514), sections 11503 and 11506 as amended by 1998 PA 466 and section 11514 as amended by 2005 PA 243, and by adding section 11521.

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

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

Rep. Miller 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. 513, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11503, 11505, 11506, and 11514 (MCL 324.11503, 324.11505, 324.11506, and 324.11514), sections 11503 and 11506 as amended by 1998 PA 466 and section 11514 as amended by 2005 PA 243, and by adding section 11521.

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

**Roll Call No. 644****Yeas—98**

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

**Nays—10**

Amos	Emmons	Hune	Nitz
Ball	Green	Meekhof	Pearce
Caswell	Hansen		

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending 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, and by adding section 11521.

The motion prevailed.

The House agreed to the title as amended.

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

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

**Second Reading of Bills**

**House Bill No. 5261, entitled**

A bill to amend 1978 PA 390, entitled “An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts,” by amending section 3 (MCL 408.473).

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 1, line 6, after “**UNDER**” by striking out “**5 YEARS**” and inserting “**1 YEAR**”.

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

Rep. Sheen demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 645**

**Yeas—48**

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

**Nays—60**

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

In The Chair: Sak

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. 5261, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 3 (MCL 408.473).

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

**Roll Call No. 646**

**Yeas—101**

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

**Nays—7**

Agema	Knollenberg	Palmer	Stakoe
Garfield	Meltzer	Pastor	

In The Chair: Sak



The House agreed to the title of the bill.

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

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

Reps. Accavitti, Bauer, Bieda, Booher, Brandenburg, Brown, Casperson, Condino, Corriveau, Coulouris, Dillon, Donigan, Espinoza, Farrah, Gaffney, Green, Griffin, Hammel, Hammon, Hoogendyk, Hopgood, Jackson, Johnson, Rick Jones, Robert Jones, Kathleen Law, Leland, Lemmons, Mayes, Meadows, Meisner, Melton, Polidori, Proos, Sak, Schuitmaker, Scott, Simpson, Alma Smith, Tobocman, Vagnozzi, Warren and Wojno were named co-sponsors of the bill.

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Rep. Meltzer, 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:

HB 5261 amends the Payment of Fringe Benefits and Wage Act to require employers that provide leave time to an employee following the birth of a child to provide the same benefit to an employee who adopts a child under the age of five years old.

While this legislation is certainly well intentioned, the state should not mandate which benefits a business voluntarily chooses to offer its employees. This bill will take away control from business owners, and may actually discourage some from offering extra perks and incentives to employees.

Furthermore, this legislation would set a bad precedent of government interference; it is not a stretch to envision lawmakers in Lansing telling business owners how many vacation days they must provide.

For these reasons, I cannot support this bill at this time.”

### Second Reading of Bills

#### House Bill No. 5539, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” (MCL 125.2651 to 125.2672) by adding section 15a.

The bill was read a second time.

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

1. Amend page 5, following line 20, by inserting:

**“(11) IT IS THE INTENT OF THE LEGISLATURE THAT, TO THE EXTENT THAT THE TOTAL AMOUNT OF TAXES LEVIED UNDER THE STATE EDUCATION TAX ACT, 1993 PA 331, MCL 211.901 TO 211.906, THAT ARE ALLOWED TO BE RETAINED UNDER THIS SECTION AND SECTION 11B OF THE LOCAL DEVELOPMENT FINANCING ACT, 1986 PA 281, MCL 125.2161B, SECTION 12B OF THE TAX INCREMENT FINANCING ACT, 1980 PA 450, MCL 125.1812B, AND SECTION 13C OF 1975 PA 197, MCL 125.1663C, EXCEEDS THE DIFFERENCE OF THE TOTAL SCHOOL AID FUND REVENUE FOR THE TAX YEAR MINUS THE ESTIMATED AMOUNT OF REVENUE THE SCHOOL AID FUND WOULD HAVE RECEIVED FOR THE TAX YEAR HAD THE TAX EXEMPTIONS DESCRIBED IN SUBSECTION (1) AND THE EARMARK CREATED BY SECTION 515 OF THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1515, NOT TAKEN EFFECT, THE GENERAL FUND SHALL REIMBURSE THE SCHOOL AID FUND THE DIFFERENCE.”** and renumbering the remaining subsection.

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

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5539, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," (MCL 125.2651 to 125.2672) by adding section 15a.

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

#### Roll Call No. 647

#### Yeas—107

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

#### Nays—0

In The Chair: Sak

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

### Second Reading of Bills

#### House Bill No. 5540, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," (MCL 125.2151 to 125.2174) by adding section 11b.

The bill was read a second time.

Rep. Wenke 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. Meltzer moved to amend the bill as follows:

1. Amend page 6, following line 2, by inserting:

**“(11) IT IS THE INTENT OF THE LEGISLATURE THAT, TO THE EXTENT THAT THE TOTAL AMOUNT OF TAXES LEVIED UNDER THE STATE EDUCATION TAX ACT, 1993 PA 331, MCL 211.901 TO 211.906, THAT ARE ALLOWED TO BE RETAINED UNDER THIS SECTION AND SECTION 15A OF THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2665A, SECTION 12B OF THE TAX INCREMENT FINANCING ACT, 1980 PA 450, MCL 125.1812B, AND SECTION 13C OF 1975 PA 197, MCL 125.1663C, EXCEEDS THE DIFFERENCE OF THE TOTAL SCHOOL AID FUND REVENUE FOR THE TAX YEAR MINUS THE ESTIMATED AMOUNT OF REVENUE THE SCHOOL AID FUND WOULD HAVE RECEIVED FOR THE TAX YEAR HAD THE TAX EXEMPTIONS DESCRIBED IN SUBSECTION (1) AND THE EARMARK CREATED BY SECTION 515 OF THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1515, NOT TAKEN EFFECT, THE GENERAL FUND SHALL REIMBURSE THE SCHOOL AID FUND THE DIFFERENCE.”**

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

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

The motion prevailed.

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

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

Rep. Hopgood moved that Rep. Kathleen Law be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5540, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” (MCL 125.2151 to 125.2174) by adding section 11b.

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

**Roll Call No. 648**

**Yeas—106**

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

Caul	Hood	Moolenaar	Stakoe
Cheeks	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young
DeRoche	Jones, Robert		

### Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### House Bill No. 5541, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," (MCL 125.1801 to 125.1830) by adding section 12b.

The bill was read a second time.

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

1. Amend page 5, following line 20, by inserting:

**"(11) IT IS THE INTENT OF THE LEGISLATURE THAT, TO THE EXTENT THAT THE TOTAL AMOUNT OF TAXES LEVIED UNDER THE STATE EDUCATION TAX ACT, 1993 PA 331, MCL 211.901 TO 211.906, THAT ARE ALLOWED TO BE RETAINED UNDER THIS SECTION AND SECTION 11B OF THE LOCAL DEVELOPMENT FINANCING ACT, 1986 PA 281, MCL 125.2161B, SECTION 15A OF THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2665A, AND SECTION 13C OF 1975 PA 197, MCL 125.1663C, EXCEEDS THE DIFFERENCE OF THE TOTAL SCHOOL AID FUND REVENUE FOR THE TAX YEAR MINUS THE ESTIMATED AMOUNT OF REVENUE THE SCHOOL AID FUND WOULD HAVE RECEIVED FOR THE TAX YEAR HAD THE TAX EXEMPTIONS DESCRIBED IN SUBSECTION (1) AND THE EARMARK CREATED BY SECTION 515 OF THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1515, NOT TAKEN EFFECT, THE GENERAL FUND SHALL REIMBURSE THE SCHOOL AID FUND THE DIFFERENCE."**

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

Rep. Dean 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. 5541, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," (MCL 125.1801 to 125.1830) by adding section 12b.

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

**Roll Call No. 649****Yeas—106**

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

**Nays—0**

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****House Bill No. 5542, entitled**

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” (MCL 125.1651 to 125.1681) by adding section 13c.

The bill was read a second time.

Rep. Robert Jones 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. Meltzer moved to amend the bill as follows:

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

**“(11) IT IS THE INTENT OF THE LEGISLATURE THAT, TO THE EXTENT THAT THE TOTAL AMOUNT OF TAXES LEVIED UNDER THE STATE EDUCATION TAX ACT, 1993 PA 331, MCL 211.901 TO 211.906, THAT ARE ALLOWED TO BE RETAINED UNDER THIS SECTION AND SECTION 11B OF THE LOCAL DEVELOPMENT FINANCING ACT, 1986 PA 281, MCL 125.2161B, SECTION 15A OF THE BROWNFIELD REDEVELOPMENT FINANCING ACT, 1996 PA 381, MCL 125.2665A, AND SECTION 12B OF THE TAX INCREMENT FINANCING ACT, 1980 PA 450, MCL 125.1812B, EXCEEDS THE DIFFERENCE OF THE TOTAL SCHOOL AID FUND REVENUE FOR THE TAX YEAR MINUS THE ESTIMATED AMOUNT OF REVENUE THE SCHOOL AID FUND WOULD HAVE RECEIVED FOR THE TAX YEAR HAD THE TAX EXEMPTIONS DESCRIBED IN SUBSECTION (1) AND THE EARMARK CREATED BY SECTION 515 OF THE MICHIGAN BUSINESS TAX ACT, 2007 PA 36, MCL 208.1515, NOT TAKEN EFFECT, THE GENERAL FUND SHALL REIMBURSE THE SCHOOL AID FUND THE DIFFERENCE.”.**

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

Rep. Robert Jones 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. 5542, entitled**

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” (MCL 125.1651 to 125.1681) by adding section 13c.

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

#### **Roll Call No. 650**

**Yeas—106**

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

Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	Pastor	Young
DeRoche	Jones, Robert		

**Nays—0**

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****House Bill No. 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.

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 adopted, a majority of the members serving voting therefor.

Rep. Emmons moved to amend the bill as follows:

1. Amend page 2, line 7, after “treasury.” by inserting “If a city or township creates a promise zone, the promise zone shall include all students in each school district in which the city or township is located, even if students in such a school district do not live in that city or township.”.

2. Amend page 2, line 24, after “zone” by striking out “and” and inserting “or”.

3. Amend page 6, line 21, after “zone” by striking out “and” and inserting “or”.

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

Rep. Emmons demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 651****Yeas—52**

Acciavatti	Gaffney	LeBlanc	Pavlov
Agema	Garfield	Marleau	Pearce
Amos	Green	Meekhof	Proos
Ball	Hansen	Meltzer	Robertson
Booher	Hildenbrand	Moolenaar	Rocca
Brandenburg	Hoogendyk	Moore	Schuitmaker
Calley	Horn	Moss	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	Wenke

**Nays—54**

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

In The Chair: Sak

Rep. Meekhof moved that Rep. Ball be excused temporarily from today's session.  
The motion prevailed.

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 7, line 2, after "section." by striking out the balance of the subdivision.

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

Rep. Hoogendyk demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 652****Yeas—43**

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

**Nays—62**

Accavitti	Dillon	LaJoy	Polidori
Angerer	Donigan	Law, David	Rocca



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

In The Chair: Sak

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 7, line 6, after “zone.” by inserting “Funds expended for educational improvement activities shall be distributed equally among all public schools within the promise zone.”.

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

Rep. Hoogendyk demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 653**

**Yeas—48**

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

**Nays—57**

Accavitti	Dean	Johnson	Nofs
Angerer	Dillon	Jones, Robert	Polidori
Bauer	Donigan	Lahti	Sak
Bennett	Ebli	LaJoy	Scott
Bieda	Espinoza	LeBlanc	Sheltrown
Brown	Farrah	Leland	Simpson
Byrnes	Gillard	Lemmons	Smith, Alma
Byrum	Gonzales	Lindberg	Smith, Virgil
Cheeks	Griffin	Mayes	Spade
Clemente	Hammel	McDowell	Tobocman

Condino	Hammon	Meadows	Valentine
Constan	Hood	Meisner	Warren
Corriveau	Hopgood	Melton	Wojno
Coulouris	Jackson	Miller	Young
Cushingberry			

In The Chair: Sak

Rep. Opsommer moved to amend the bill as follows:

1. Amend page 12, line 2, after “Sec. 19.” by striking out all of subsections (1), (2), (3), and (4) and inserting “(1) This state shall appropriate an amount equal to 1/2 of the growth in the state education tax within each promise zone created in this state.” and renumbering the remaining subsection.

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

Rep. Opsommer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 654**

**Yeas—51**

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

**Nays—54**

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

In The Chair: Sak

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. Melton 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. 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.

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

**Roll Call No. 655**

**Yeas—71**

Accavitti	Dean	Johnson	Palsrok
Angerer	Dillon	Jones, Robert	Polidori
Ball	Donigan	Lahti	Proos
Bauer	Ebli	LaJoy	Sak
Bennett	Elsenheimer	Law, David	Scott
Bieda	Emmons	LeBlanc	Shaffer
Brandenburg	Espinoza	Leland	Sheltrown
Brown	Farrah	Lemmons	Simpson
Byrum	Gaffney	Lindberg	Smith, Alma
Calley	Gonzales	Mayes	Smith, Virgil
Casperson	Griffin	McDowell	Spade
Cheeks	Hammel	Meadows	Stakoe
Clemente	Hammon	Meisner	Tobocman
Condino	Hildenbrand	Melton	Valentine
Constan	Hood	Miller	Wenke
Corriveau	Hopgood	Moolenaar	Wojno
Coulouris	Hune	Moore	Young
Cushingberry	Jackson	Nofs	

**Nays—34**

Acciavatti	Green	Meltzer	Robertson
Agema	Hansen	Moss	Rocca
Amos	Hoogendyk	Nitz	Schuitmaker
Booher	Horn	Opsommer	Sheen
Byrnes	Huizenga	Palmer	Stahl
Caswell	Jones, Rick	Pastor	Steil
Caul	Knollenberg	Pavlov	Walker
Garfield	Marleau	Pearce	Warren
Gillard	Meekhof		

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Schuitmaker moved that her name be removed as co-sponsor of the bill.

The motion prevailed.

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 656**

**Yeas—74**

Accavitti	Dean	Johnson	Opsommer
Angerer	Dillon	Jones, Robert	Palsrok
Ball	Donigan	Lahti	Polidori
Bauer	Ebli	LaJoy	Proos
Bennett	Elsenheimer	Law, David	Sak
Bieda	Emmons	LeBlanc	Scott
Brandenburg	Espinoza	Leland	Shaffer
Brown	Farrah	Lemmons	Sheltrown
Byrnes	Gaffney	Lindberg	Simpson
Byrum	Gillard	Mayes	Smith, Alma
Calley	Gonzales	McDowell	Smith, Virgil
Casperson	Griffin	Meadows	Spade
Cheeks	Hammel	Meisner	Stakoe
Clemente	Hammon	Melton	Tobocman
Condino	Hildenbrand	Miller	Valentine
Constan	Hood	Moolenaar	Warren
Corriveau	Hopgood	Moore	Wojno
Coulouris	Hune	Nofs	Young
Cushingberry	Jackson		

**Nays—32**

Acciavatti	Green	Meekhof	Robertson
Agema	Hansen	Meltzer	Rocca
Amos	Hoogendyk	Moss	Schuitmaker
Booher	Horn	Nitz	Sheen
Caswell	Huizenga	Palmer	Stahl
Caul	Jones, Rick	Pastor	Steil
DeRoche	Knollenberg	Pavlov	Walker
Garfield	Marleau	Pearce	Wenke

In The Chair: Sak

Reps. Bennett, Bieda, Caspersion, Cushingberry, Dillon, Hopgood, Scott and Tobocman were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Great Lakes and Environment be discharged from further consideration of **Senate Bill No. 545**.

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

**Second Reading of Bills**

**Senate Bill No. 545, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3118 (MCL 324.3118), as amended by 2004 PA 91.

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. 545, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3118 (MCL 324.3118), as amended by 2004 PA 91.

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

**Roll Call No. 657**

**Yeas—102**

Accavitti	Donigan	Knollenberg	Pavlov
Acciavatti	Ebli	Lahti	Pearce
Agema	Elsenheimer	LaJoy	Polidori
Amos	Emmons	Law, David	Proos
Angerer	Espinoza	LeBlanc	Robertson
Ball	Farrah	Leland	Rocca
Bauer	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
Calley	Hammon	Meisner	Smith, Virgil
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Moolenaar	Stakoe
Cheeks	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Constan	Horn	Nitz	Valentine
Corriveau	Huizenga	Nofs	Walker
Coulouris	Hune	Opsommer	Warren
Cushingberry	Jackson	Palmer	Wenke
Dean	Johnson	Palsrok	Wojno
DeRoche	Jones, Rick	Pastor	Young
Dillon	Jones, Robert		

## Nays—4

Bennett

Condino

Miller

Sak

In The Chair: Sak

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

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

The House agreed to the full title.

Rep. 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 Speaker laid before the House

**Senate Concurrent Resolution No. 22.**

A concurrent resolution to request the State Officers Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, the Secretary of State, and the Justices of the Supreme Court the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the change in the Consumer Price Index or the average increase in state employee pay.

(For text of concurrent resolution, see House Journal No. 121, p. 2261.)

(The concurrent resolution was reported by the Committee on Oversight and Investigations on December 6, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the concurrent resolution,

Rep. Tobocman moved to substitute (H-5) the concurrent resolution as follows:

**Substitute for Senate Concurrent Resolution No. 22.**

A concurrent resolution to request the State Officers' Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay.

Whereas, Our state's continuing economic struggles emphasize the need to make sacrifices for our future economic and fiscal health. All avenues to encourage that fiscal policies and decisions reflect this need for prudence must be pursued; and

Whereas, Article IV, Section 12 of the State Constitution of 1963 provides for the State Officers' Compensation Commission. This commission determines the salaries and expense allowances of certain elected state officers, including the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State. Pursuant to state statutes amended to conform to 2002 changes in the constitutional provisions regarding the commission, the State Officers' Compensation Commission will next meet in 2009; and

Whereas, It is important for all possible mechanisms to be put in place to avoid unnecessary spending. Reducing the salaries of the state's highest elected officers and restraining spending increases can help safeguard the public's interests at an important time in our state's history. Establishing a ceiling for the recommendations that the State Officers Compensation Commission can make, by making sure future recommendations cannot exceed the average increase in state employee pay, is an appropriate and long-overdue step to take. These moves can enable other reforms in policy to take root; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we request the State Officers' Compensation Commission to recommend a 5 percent reduction in salaries of the members of the Legislature, the Governor, the Lieutenant Governor, the Attorney General, and the Secretary of State the next time the commission meets and to urge the commission to ensure that none of its future recommendations exceed the average increase in state employee pay; and be it further

Resolved, That copies of this resolution be transmitted to the State Officers' Compensation Commission.  
 The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Reps. Alma Smith and Meadows moved to amend the concurrent resolution as follows:

1. Amend the concurrent resolution, following the first Resolving clause, by inserting:

“Resolved, That the legislature pass a joint resolution presenting the salary reduction language in this resolution as a constitutional amendment for the electorate’s approval at the November 4, 2008, general election so that the intent of the legislature stated herein can have effect; and be it further”.

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

The question being on the adoption of the concurrent resolution,

Rep. Tobocman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 658**

**Yeas—104**

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

**Nays—2**

Gillard	Smith, Virgil
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In The Chair: Sak

**Second Reading of Bills**

**Senate Bill No. 868, entitled**

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

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

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. 868, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 50b, 75, and 79 (MCL 38.1050b, 38.1075, and 38.1079), sections 50b and 75 as amended by 1998 PA 501 and section 79 as amended by 2006 PA 614, and by adding section 79a.

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

#### Roll Call No. 659

#### Yeas—103

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

#### Nays—2

Pearce

Smith, Virgil

In The Chair: Sak



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

“An act for the creation, maintenance, and administration of a legislative members’ and presiding officers’ retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors’ allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to establish certain funds in connection with the retirement system; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

#### 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.

The Senate has substituted (S-4) the House substitute (H-5).

The Senate has concurred in the House substitute (H-5) as substituted (S-4) and ordered that the bill be given immediate effect.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

The question being on concurring in the (S-4) to the House substitute (H-5) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 660

#### Yeas—103

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

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

### Nays—3

Condino	Garfield	Hoogendyk
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In The Chair: Sak

### Second Reading of Bills

#### House Bill No. 5085, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82105 and 82114 (MCL 324.82105 and 324.82114), section 82105 as amended by 2005 PA 271 and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

(The bill was read a second time and postponed temporarily on November 28, see House Journal No. 126, p. 2314.)

The question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tourism, Outdoor Recreation and Natural Resources,

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

Rep. Caswell 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. Mayer moved to amend the bill as follows:

1. Amend page 11, line 10, after “snowmobile,” by inserting “giving”.

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

Rep. Mayer 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. 5085, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82105 and 82114 (MCL 324.82105 and 324.82114), section 82105 as amended by 2005 PA 271 and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

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

**Roll Call No. 661****Yeas—104**

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

**Nays—2**

Garfield	Palmer
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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 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82101, 82105, and 82114 (MCL 324.82101, 324.82105, and 324.82114), section 82101 as amended by 2005 PA 175, section 82105 as amended by 2005 PA 271, and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

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.

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 4132, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 54B.

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.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 662****Yeas—106**

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

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

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

**House Bill No. 4399, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5485.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 663****Yeas—106**

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

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

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

**House Bill No. 4936, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 5478 and 5479; and to repeal acts and parts of acts.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 664****Yeas—105**

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce

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

### Nays—1

Garfield

In The Chair: Sak

The House agreed to the full title.

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

#### Senate Concurrent Resolution No. 24.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, December 13, 2007, it stands adjourned until Thursday, December 27, 2007, at 11:30 a.m. for the Senate and 11:15 a.m. for the House of Representatives; and be it further

Resolved, That when the Legislature adjourns on Thursday, December 27, 2007, it stands adjourned without day.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Tobocman moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Tobocman moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Thursday, December 27, at 11:15 a.m.

The motion prevailed.

Reps. Amos, Accavitti, Elsenheimer, Marleau, Acciavatti, Agema, Ball, Bauer, Bieda, Booher, Brandenburg, Byrnes, Byrum, Calley, Casperson, Caswell, Caul, Cushingberry, Dean, Emmons, Gaffney, Garfield, Green, Hammel, Hammon, Hansen, Hildenbrand, Hoogendyk, Hopgood, Horn, Huizenga, Rick Jones, Robert Jones, Knollenberg, Lahti, LaJoy, David Law, Kathleen Law, Lemmons, Mayes, McDowell, Meadows, Meekhof, Meltzer, Miller, Moolenaar, Moss, Nitz, Nofs, Opsommer, Palmer, Palsrok, Pastor, Pearce, Polidori, Proos, Robertson, Rocca, Sak, Schuitmaker, Scott, Shaffer, Sheltroun, Stahl, Steil, Vagnozzi, Valentine, Walker and Wojno offered the following resolution:

**House Resolution No. 242.**

A resolution designating December 16, 2007 as POW/MIA Recognition Day in the state of Michigan.

Whereas, The United States has fought in many wars. Thousands of Americans who served in those wars were captured by the enemy or listed as missing in action; and

Whereas, Many American prisoners of war were subjected to brutal and inhuman treatment by their enemy captors in violation of international codes and customs for the treatment of prisoners of war, and many such prisoners of war died from such treatment; and

Whereas, Many of these Americans are still missing and unaccounted for, and the uncertainty surrounding their fates has caused their families to suffer acute hardship; and

Whereas, December 16 is the historic first day of the Battle of the Bulge, the largest American fought battle of World War II resulting in 23,544 prisoners of war and missing in action, more than any other battle during the war; and

Whereas, Over 100 men of the Michigan 254th Engineer Combat Battalion were killed, captured, or went missing in action during the Battle of the Bulge in World War II; and

Whereas, Of the four Americans serving in the current conflict in Iraq, as well as one serving in Operation Desert Storm, who are listed as missing in action, two of these soldiers, Specialist Ahmed K. Altaie and Private Byron W. Fouty, hail from the state of Michigan; and

Whereas, The sacrifices of Americans still missing and unaccounted for and their families are deserving of our state's recognition and support for continued priority efforts to determine the fate of those missing Americans; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate December 16, 2007 as POW/MIA Recognition Day in the state of Michigan; and be it further

Resolved, That the Governor is encouraged to issue a proclamation calling upon the people of the state of Michigan to recognize that day with appropriate ceremonies and activities; and be it further

Resolved, That Michigan's residents are hereby encouraged to recognize National 'POW/MIA Recognition Day,' during which all of our nation's prisoners of war and those missing in action, such as Specialist Alex R. Jimenez, Sgt. Keith "Matt" Maupin and LT. Commander Mike Scott Speicher, who also went missing while serving their country, are recognized for their valor and dedication to the freedom of our nation's citizens and people around the world; and be it further

Resolved, That the National League of Families POW/MIA flag is hereby recognized officially and designated as the symbol of our state's concern and commitment to resolving the fates of Americans still prisoner, missing and unaccounted for, thus ending the uncertainty for their families and the nation.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Meadows, Calley, Knollenberg, Moss, Alma Smith, Coulouris, Spade, Valentine, Accavitti, Agema, Bauer, Bieda, Byrnes, Caswell, Clack, Condino, Constan, Cushingberry, Dean, Gaffney, Gillard, Gonzales, Hammel, Hammon, Hopgood, Robert Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, McDowell, Miller, Nofs, Pavlov, Polidori, Sak, Scott, Sheltroun, Stahl, Vagnozzi and Warren offered the following resolution:

**House Resolution No. 243.**

A resolution to memorialize Congress to enact legislation to change the computation of state Federal Medical Assistance Percentage (FMAPs) by disregarding employer contributions to prefund retiree health care in calculating Medicaid and the State Children's Health Insurance Program (SCHIP).

Whereas, The Federal Medicaid Assistance Percentage (FMAP) determines the distribution of federal matching funds for medical assistance programs, including Medicaid and SCHIP. The United States Department of Health and Human Services calculates the FMAP annually for each state. The formula for calculating the FMAP is determined by a state's per capita income as calculated by the United States Department of Commerce. In 2003, the state lost about \$160 million in federal Medicaid funds when General Motors made a one-time \$16 billion payment to its underfunded pension plan. This one-time payment was included and skewed the calculation of the state's per capita income; and

Whereas, Recent contract negotiations between three domestic automakers and the UAW will generate large one-time payments beginning in 2010 to a Volunteer Employee Benefits Association (VEBA) trust fund to be administered by the union. These payments will be similar in character to the payment made by General Motors for underfunded pension liabilities that skewed the FMAP calculation of state per capita income in 2003; and

Whereas, State and local governments are encouraged to prefund their retiree health benefits as a result of the Governmental Accounting Standards Board (GASB) 45 reporting requirement. These payments will be similar in character to the General Motors one-time payment for underfunded pension liabilities that skewed the FMAP calculation of state per capita income; and

Whereas, The combined contributions of the automobile companies will result in over \$60 billion that will overstate the state's personal income by billions of dollars. The prefunding of public employee retirement by state and local governments will result in an exponential increase in this overstatement. This would place the state at risk of a decline in its FMAP for the three years that these contributions affect personal income calculations; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact legislation to change the computing of state Federal Medical Assistance Percentage by disregarding employer contributions toward retiree health care in calculating Medicaid and State Children's Health Insurance Program (SCHIP); 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 Retiree Health Care Reforms.

Reps. Miller, Meisner, Meadows, Hopgood, Kathleen Law, Bennett, Constan, Vagnozzi, Farrah and Tobocman offered the following resolution:

**House Resolution No. 244.**

A resolution to express support for the findings of the National Labor Relations Board regarding the unionization of workers at the Soaring Eagle Casino and Resort and to encourage a quick resolution of this issue.

Whereas, Workers at the Soaring Eagle Casino and Resort at Mount Pleasant have taken the appropriate steps to bring about a vote on whether they wish to be represented by the Teamsters in labor matters. The workers expressed their interest in seeking a vote through the signing of organizing cards and at meetings. In October 2007, petitions were filed to seek an election on the question of unionizing; and

Whereas, The Saginaw Chippewa Indian Tribe took steps to prevent the workers from joining the union. The tribe challenged the petitions, claiming sovereignty. The National Labor Relations Board, following earlier rulings regarding the ability of employees at Native American-owned casinos elsewhere to join a union, decided, in November 2007, that the employees at the Soaring Eagle do have the right to vote on the question of joining the union; and

Whereas, The November action of the National Labor Relations Board is consistent with past practices, as well as a prior decision in the 9th United States Circuit Court of Appeals that affirmed that the National Labor Relations Board had the right to assert jurisdiction over Native American enterprises in certain circumstances; and

Whereas, Laws governing the process of workers seeking to organize themselves through a union reflect many years of struggle. The process that must be followed brings order to the workplace and safeguards the rights of people to work together on certain matters concerning the workplace. This vital component of labor relations provides important protections for workers, who have the right to express themselves through established procedures; now, therefore, be it

Resolved by the House of Representatives, That we express support for the findings of the National Labor Relations Board regarding the unionization of workers at the Soaring Eagle Casino and Resort and encourage a quick resolution of this issue; and be it further

Resolved, That copies of this resolution be transmitted to the National Labor Relations Board, the Saginaw Chippewa Indian Tribe, and Teamsters Local 486.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.



Reps. Knollenberg, Calley, Meadows, Moss, Marleau, Wenke, Coulouris, Spade, Alma Smith, Valentine and Johnson offered the following concurrent resolution:

**House Concurrent Resolution No. 62.**

A concurrent resolution to memorialize Congress to enact legislation to change the computation of state Federal Medical Assistance Percentage (FMAPs) as defined in section 1905(B) of the Social Security Act (43 U.S.C. 1396 (D)) by disregarding employer contributions to prefund retiree health care in calculating Medicaid and the State Children's Health Insurance Program (SCHIP).

Whereas, The Federal Medicaid Assistance Percentage (FMAP) determines the distribution of federal matching funds for medical assistance programs, including Medicaid and SCHIP. The United States Department of Health and Human Services calculates the FMAP annually for each state. The formula for calculating the FMAP is determined by a state's per capita income as calculated by the United States Department of Commerce. In 2003, the state lost about \$160 million in federal Medicaid funds when General Motors made a one-time \$16 billion payment to its underfunded pension plan. This one-time payment was included and skewed the calculation of the state's per capita income; and

Whereas, Recent contract negotiations between three domestic automakers and the UAW will generate large one-time payments beginning in 2010 to a Volunteer Employee Benefits Association (VEBA) trust fund to be administered by the union. These payments will be similar in character to the payment made by General Motors for underfunded pension liabilities that skewed the FMAP calculation of state per capita income in 2003; and

Whereas, State and local governments are encouraged to prefund their retiree health benefits as a result of the Governmental Accounting Standards Board (GASB) 45 reporting requirement. These payments will be similar in character to the General Motors one-time payment for underfunded pension liabilities that skewed the FMAP calculation of state per capita income; and

Whereas, The combined contributions of the automobile companies will result in over \$60 billion that will overstate the state's personal income by billions of dollars. The prefunding of public employee retirement by state and local governments will result in an exponential increase in this overstatement. This would place the state at risk of a decline in its FMAP for the three years that these contributions affect personal income calculations; now, therefore, be it

Resolved by the House of Representatives, (the Senate concurring) That we memorialize Congress to enact legislation to change the computing of state Federal Medical Assistance Percentage by disregarding employer contributions toward retiree health care in calculating Medicaid and State Children's Health Insurance Program (SCHIP) beginning with a state's fiscal year 2006; 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 concurrent resolution was referred to the Committee on Retiree Health Care Reforms.

Reps. Miller, Meisner, Meadows, Hopgood, Kathleen Law, Bennett, Vagnozzi, Farrah and Tobocman offered the following concurrent resolution:

**House Concurrent Resolution No. 63.**

A concurrent resolution to express support for the findings of the National Labor Relations Board regarding the unionization of workers at the Soaring Eagle Casino and Resort and to encourage a quick resolution of this issue.

Whereas, Workers at the Soaring Eagle Casino and Resort at Mount Pleasant have taken the appropriate steps to bring about a vote on whether they wish to be represented by the Teamsters in labor matters. The workers expressed their interest in seeking a vote through the signing of organizing cards and at meetings. In October 2007, petitions were filed to seek an election on the question of unionizing; and

Whereas, The Saginaw Chippewa Indian Tribe took steps to prevent the workers from joining the union. The tribe challenged the petitions, claiming sovereignty. The National Labor Relations Board, following earlier rulings regarding the ability of employees at Native American-owned casinos elsewhere to join a union, decided, in November 2007, that the employees at the Soaring Eagle do have the right to vote on the question of joining the union; and

Whereas, The November action of the National Labor Relations Board is consistent with past practices, as well as a prior decision in the 9th United States Circuit Court of Appeals that affirmed that the National Labor Relations Board had the right to assert jurisdiction over Native American enterprises in certain circumstances; and

Whereas, Laws governing the process of workers seeking to organize themselves through a union reflect many years of struggle. The process that must be followed brings order to the workplace and safeguards the rights of people to work together on certain matters concerning the workplace. This vital component of labor relations provides important protections for workers, who have the right to express themselves through established procedures; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express support for the findings of the National Labor Relations Board regarding the unionization of workers at the Soaring Eagle Casino and Resort and encourage a quick resolution of this issue; and be it further

Resolved, That copies of this resolution be transmitted to the National Labor Relations Board, the Saginaw Chippewa Indian Tribe, and Teamsters Local 486.

Pending the reference of the concurrent resolution to a committee, Rep. Tobocman moved that Rule 71 be suspended and the concurrent resolution be considered at this time. The motion prevailed, 3/5 of the members present voting therefor. The question being on the adoption of the concurrent resolution, The concurrent resolution was adopted.

#### 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 13:

**House Bill Nos. 5554 5555 5556 5557 5558 5559 5560 5561 5562 5563**  
**Senate Bill Nos. 997 998 1000**

The Clerk announced that the following Senate bills had been received on Thursday, December 13:

**Senate Bill Nos. 731 981 982**

#### Reports of Standing Committees

The Committee on Transportation, by Rep. Hopgood, Chair, reported

**House Bill No. 4151, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2004 PA 362.

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. Hopgood, Accavitti, Bieda, Donigan, Ebli, Leland, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

**Senate Bill No. 630, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 93.

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. Hopgood, Gonzales, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce and Stahl

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 13, 2007

Present: Reps. Hopgood, Gonzales, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

The Committee on Health Policy, by Rep. Angerer, Chair, reported

**House Bill No. 5526, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

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. Angerer, Simpson, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Marleau, Ball, Calley and Robertson

Nays: None

The Committee on Health Policy, by Rep. Angerer, Chair, reported

**House Bill No. 5528, entitled**

A bill to establish the autism research fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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. Angerer, Simpson, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Marleau, Ball, Calley and Robertson

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, December 13, 2007

Present: Reps. Angerer, Simpson, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Marleau, Ball, Calley and Robertson

Absent: Reps. Byrum, Hune and Green

Excused: Reps. Byrum, Hune and Green

The Committee on Retiree Health Care Reforms, by Rep. Meadows, Chair, reported

**House Bill No. 5545, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 20d (MCL 38.20d), as amended by 2002 PA 93.

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. Meadows, Coulouris, Spade, Alma Smith, Valentine, Wenke, Calley, Knollenberg and Moss

Nays: None

The Committee on Retiree Health Care Reforms, by Rep. Meadows, Chair, reported  
**House Bill No. 5546, entitled**

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 205 (MCL 38.2205).

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. Meadows, Coulouris, Spade, Alma Smith, Valentine, Wenke, Calley, Knollenberg and Moss

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meadows, Chair, of the Committee on Retiree Health Care Reforms, was received and read:

Meeting held on: Thursday, December 13, 2007

Present: Reps. Meadows, Coulouris, Spade, Johnson, Alma Smith, Valentine, Wenke, Calley, Knollenberg and Moss

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 13, 2007

Present: Reps. Accavitti, Mayes, Brown, Clemente, Ebli, Hopgood, Lindberg, Nofs, Palsrok, Garfield, Huizenga, Moolenaar, Horn and Opsommer

Absent: Reps. Angerer, Hammon, Lemmons, Melton and Miller

Excused: Reps. Angerer, Hammon, Lemmons, Melton and Miller

#### Messages from the Senate

##### **House Bill No. 4870, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 447 (MCL 750.447), as amended by 2004 PA 404.

The Senate has passed the bill and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

##### **House Bill No. 4979, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of

the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 1g and 9a (MCL 247.651g and 247.659a), section 1g as added by 1997 PA 79 and section 9a as amended by 2002 PA 499.

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. 5125, entitled**

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

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

The House agreed to the full title.

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

**House Bill No. 5126, entitled**

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

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

The House agreed to the full title.

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

**House Bill No. 5413, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111), as amended by 2007 PA 145.

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

The House agreed to the full title.

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

**House Bill No. 5460, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 305 (MCL 208.1305).

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

The House agreed to the full title.

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

**Senate Bill No. 731, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," (MCL 32.501 to 32.851) by adding section 236.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

**Senate Bill No. 981, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of

specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 11 (MCL 247.661), the title as amended by 2004 PA 384 and section 11 as amended by 2002 PA 639.

The Senate has passed the bill.

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

**Senate Bill No. 982, entitled**

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

The Senate has passed the bill.

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

### Introduction of Bills

Reps. Steil, Hansen, Rick Jones, Rocca, Booher, Stahl, Caswell, Hoogendyk and Acciavatti introduced

**House Bill No. 5564, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 277.

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

Reps. Johnson, Melton, Young and Miller introduced

**House Bill No. 5565, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

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

Reps. Johnson, Young and Miller introduced

**House Bill No. 5566, entitled**

A bill to provide assistance to owners of distressed housing; to provide a vehicle for purchase and redemption of residential property faced with foreclosure; to provide for the raising of capital and the issuance of bonds; and to provide for certain duties of certain state agencies.

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

Reps. Byrnes, LeBlanc, Lindberg, Coulouris, Lemmons, Polidori, Hood, Gaffney, Meisner, Tobocman, Bieda, Gillard, Cushingberry and Clack introduced

**House Bill No. 5567, entitled**

A bill to create certain property rights in attributes of an individual that have commercial value; to recognize transfer of those rights; to provide exceptions for certain purposes and entities; and to provide remedies.

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

Reps. Schuitmaker and Condino introduced

**House Bill No. 5568, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XI (MCL 771.14), as amended by 2000 PA 279.

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

Reps. Bieda, Alma Smith and Condino introduced

**House Bill No. 5569, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111).

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

Reps. Agema, Calley, Knollenberg, Garfield, Sheen, Stahl, Amos, LaJoy, Meltzer, Rocca, Meekhof, Green, Casperson, Brandenburg, Rick Jones, Steil, Hune, Moolenaar, Marleau, Pavlov, Acciavatti, Huizenga, Hildenbrand and DeRoche introduced

**House Bill No. 5570, entitled**

A bill to require verification that public contracts are performed by employees who are entitled to work in the United States; to prohibit an employer from discharging certain employees while employing an illegal alien; to prescribe acceptable methods for verifying legal presence in the United States; to condition the eligibility of employers to perform certain public contracts on participation in the federal immigrant verification system; to create duties and responsibilities for certain state and local departments, agencies, and officers; to require promulgation of rules; and to provide civil remedies and criminal penalties.

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

Reps. Horn, Garfield, Polidori, Stahl, Knollenberg, Green and Dean introduced

**House Bill No. 5571, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18709 (MCL 333.18709), as added by 2004 PA 3.

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

Rep. Tobocman introduced

**House Bill No. 5572, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 361 (MCL 418.361), as amended by 1985 PA 103.

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

Reps. Miller, Cushingberry, Ward, Clemente, Meadows, Coulouris, Hammon, Warren, Bieda, Pearce, Meisner and Wenke introduced

**House Bill No. 5573, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 759e.

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

Rep. Miller introduced

**House Bill No. 5574, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13811, 13813, 13819, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13811, 333.13813, 333.13819, 333.13830, and 333.13831), sections 13805, 13807, 13809, and 13811 as added by 1990 PA 21 and sections 13813, 13819, 13830, and 13831 as added by 1990 PA 18, and by adding section 13816.

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

Rep. Miller introduced

**House Bill No. 5575, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13810, 13811, 13813, 13815, 13817, 13819, 13821, 13823, 13825, 13827, 13829, 13830, and 13831 (MCL 333.13805, 333.13807,

333.13809, 333.13810, 333.13811, 333.13813, 333.13815, 333.13817, 333.13819, 333.13821, 333.13823, 333.13825, 333.13827, 333.13829, 333.13830, and 333.13831), sections 13805, 13807, 13809, 13810, 13811, and 13815 as added by 1990 PA 21, sections 13813, 13817, 13819, 13823, 13825, 13827, 13829, 13830, and 13831 as added by 1990 PA 18, and section 13821 as amended by 1996 PA 67, and by adding sections 13812, 13820, 13832, and 13833.

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

Rep. Wojno introduced

**House Bill No. 5576, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 222 (MCL 500.222), as amended by 1994 PA 443.

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

Rep. Wojno introduced

**House Bill No. 5577, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 18701, 18711, 20173a, and 21401 (MCL 333.13805, 333.18701, 333.18711, 333.20173a, and 333.21401), section 13805 as added by 1990 PA 21, sections 18701 and 18711 as added by 2004 PA 3, section 20173a as added by 2006 PA 28, and section 21401 as amended by 1996 PA 267, and by adding section 1104a.

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

Reps. Hammon, Gaffney, Hammel, Robert Jones, Coulouris, Clack, Melton, Espinoza, Polidori, Spade, Donigan, Brown, Corriveau, Lemmons, Ebli, Constan, Bauer, LeBlanc, Warren, Meisner, Simpson, McDowell, Lindberg, Hopgood, Kathleen Law, Hood, Dean, Meadows, Calley, Angerer, Jackson, Alma Smith, Condino, Vagnozzi, Johnson, Lahti, Wojno, Byrnes, Miller, Clemente, Ball, Opsommer, Agema, Gonzales, Cheeks, Gillard, Farrah, Accavitti, Green, Meekhof, Scott, Marleau, Emmons, Caul, Shaffer, Byrum, Bennett, Valentine, Cushingberry, Bieda, Sak, Stahl and Virgil Smith introduced

**House Bill No. 5578, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Reps. Gaffney, Hammon, Caul, Calley, Polidori, Farrah, Wojno, Lemmons, Gonzales, Spade, Simpson, Meisner, Robert Jones, Nofs, David Law, Ball, Sheltroun, Stahl, Angerer, Alma Smith, Coulouris, Brown, Valentine, Leland, McDowell, Hammel, Clack, Green, Shaffer, Emmons, Marleau, Moss, Agema, Opsommer, Johnson, Warren, Vagnozzi, Constan, Espinoza, Dean, Melton, Accavitti and Virgil Smith introduced

**House Bill No. 5579, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Reps. Bieda and Wojno introduced

**House Bill No. 5580, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 504 (MCL 380.504), as amended by 1994 PA 416.

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

Reps. Bauer, Byrum, Sak, Alma Smith, Wojno, Hammon, Meadows, Robert Jones and Dean introduced

**House Bill No. 5581, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a



referendum thereon,” by amending sections 1c, 2, and 3 (MCL 52.201c, 52.202, and 52.203), section 2 as amended by 2004 PA 153 and section 3 as amended by 2006 PA 569.

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

Reps. Bieda, Schuitmaker, Condino, Stahl, Huizenga, Tobocman, Accavitti, Hildenbrand, Proos, Shaffer, Elsenheimer, DeRoche and Johnson introduced

**House Bill No. 5582, entitled**

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

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

Reps. Schuitmaker, Bieda, Condino, Stahl, Huizenga, Tobocman, Accavitti, Hildenbrand, Proos, Shaffer, Elsenheimer, DeRoche and Johnson introduced

**House Bill No. 5583, entitled**

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 30, 39, and 94 (MCL 207.1030, 207.1039, and 207.1094), section 30 as amended by 2002 PA 668 and section 39 as amended by 2006 PA 277.

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

Reps. Espinoza, Mayes, Polidori, Brown and Robert Jones introduced

**House Bill No. 5584, entitled**

A bill to amend 2001 PA 266, entitled “Grade A milk law of 2001,” by amending sections 2, 3, 4, 5, 6, 7, 20, 30, 31, 33a, 41, 44, 50, 53, 60, 61, 62, 63, 68, and 69 (MCL 288.472, 288.473, 288.474, 288.475, 288.476, 288.477, 288.490, 288.500, 288.501, 288.503a, 288.511, 288.514, 288.520, 288.523, 288.530, 288.531, 288.532, 288.533, 288.538, and 288.539), section 33a as added by 2004 PA 277.

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

Reps. Espinoza, Mayes, Polidori, Brown and Robert Jones introduced

**House Bill No. 5585, entitled**

A bill to amend 2001 PA 267, entitled “Manufacturing milk law of 2001,” by amending sections 10, 11, 12, 13, 15, 16, 17, 70, 90, 110, 110a, 111, 113, 114, 115, 116, 119, 125, 130, 131, 136, 137, 139, 140, 141, 142, 143, 152, and 159 (MCL 288.570, 288.571, 288.572, 288.573, 288.575, 288.576, 288.577, 288.630, 288.650, 288.670, 288.670a, 288.671, 288.673, 288.674, 288.675, 288.676, 288.679, 288.685, 288.690, 288.691, 288.696, 288.697, 288.699, 288.700, 288.701, 288.702, 288.703, 288.712, and 288.719), section 110a as added by 2004 PA 282.

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

Reps. Scott, Schuitmaker, Condino and Meadows introduced

**House Bill No. 5586, entitled**

A bill to amend 1909 PA 259, entitled “An act to provide that judgments of divorce and judgments of separate maintenance shall make provision in satisfaction of the claims of the wife in the property of the husband and in satisfaction of the claims of the husband and wife in contracts of insurance and annuity upon the life of the husband or wife, and in satisfaction of claims of the husband and wife in or to any pension, annuity, retirement allowance, or accumulated contributions in any pension, annuity, or retirement system, including any rights or contingent rights in and to unvested pension, annuity, or retirement benefits; and to change the tenure of lands owned by husband and wife in case of divorce, and to provide for the disposition or partition of such lands or the proceeds thereof,” by amending section 1 (MCL 552.101), as amended by 2006 PA 288.

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

Reps. Schuitmaker, Scott, Condino and Meadows introduced

**House Bill No. 5587, entitled**

A bill to abolish the right of dower; and to repeal acts and parts of acts.

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

Reps. Schuitmaker, Scott, Condino and Meadows introduced

**House Bill No. 5588, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1303, 2202, and 3807 (MCL 700.1303, 700.2202, and 700.3807), sections 1303 and 2202 as amended by 2000 PA 54 and section 3807 as amended by 2000 PA 177.

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

Reps. Ebli, Hammon, Sak, Byrum, Angerer, Hopgood, Kathleen Law, Lemmons, Gaffney, Garfield, Stahl and Nofs introduced

**House Bill No. 5589, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 182 (MCL 560.182).

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

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Rep. Virgil Smith moved that the House adjourn.

The motion prevailed, the time being 7:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 27, at 11:15 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives