

No. 34
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Wednesday, April 16, 2008.

1:30 p.m.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—excused	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—e/d/s
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—excused	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. Kate Ebli, from the 56th District, offered the following invocation:

“Spirit of Life, WE give thanks for the opportunities that present themselves in the turmoil of life. When the light catches the fear in another’s eyes, where hands are held and there are moments without words, let us be present then, and alive to the possibility of changing. Let us seek to make another’s wellbeing the object of our concern. Let us seek to be present to another’s pain, to bathe another’s wounds, hear another’s sadness, celebrate another’s success, and allow the other’s story to change our own. Let us stand in the morning on damp grass, hear the syllables of bird song, and fill up on sweet air that rolls over oceans and continents. Let us look up at the stars and the planets that fill the night sky with majesty. Let us witness the first fresh buds of spring amid the brown sticks of winter. And for all this, let us be grateful. Let us not defend ourselves against the discomfort of unruly emotion, nor seek to close down our hearts for fear a new idea will come to shake our foundations. Let us instead, be open to discovering a new way of seeing an old problem, or appreciating the perfection of a seashell, or the possibility of friendship. For in giving ourselves to what we do not understand, we receive life’s blessings, and in taking care of another, we are cared for. AMEN.”

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

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

Second Reading of Bills

House Bill No. 5206, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending section 126 (MCL 125.526), as amended by 2000 PA 479.

The bill was read a second time.

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 4, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 5627 of the 94th Legislature is enacted into law.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5206, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending section 126 (MCL 125.526), as amended by 2000 PA 479.

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

Roll Call No. 272

Yeas—96

Accavitti	Dillon	Lahti	Palsrok
Acciavatti	Donigan	LaJoy	Pastor
Agema	Ebli	Law, David	Pavlov
Amos	Elsenheimer	Law, Kathleen	Pearce

Angerer	Emmons	LeBlanc	Proos
Ball	Farrah	Leland	Robertson
Bieda	Gaffney	Lemmons	Rocca
Booher	Garfield	Lindberg	Sak
Brandenburg	Gillard	Marleau	Schuitmaker
Brown	Gonzales	Mayer	Shaffer
Byrnes	Green	McDowell	Sheen
Byrum	Griffin	Meadows	Simpson
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hansen	Meisner	Spade
Caswell	Hildenbrand	Melton	Stahl
Caul	Hoogendyk	Meltzer	Steil
Cheeks	Hopgood	Miller	Tobocman
Clack	Horn	Moolenaar	Vagnozzi
Clemente	Huizenga	Moore	Valentine
Condino	Hune	Moss	Walker
Constan	Johnson	Nitz	Ward
Corriveau	Jones, Rick	Nofs	Wenke
Coulouris	Jones, Robert	Opsommer	Wojno
Dean	Knollenberg	Palmer	Young

Nays—11

Bauer	Hammon	Polidori	Stakoe
Bennett	Hood	Scott	Warren
DeRoche	Jackson	Smith, Alma	

In The Chair: Byrnes

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

Rep. Sheltroun entered the House Chambers.

Rep. Angerer moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members serving voting therefor.
The question being on the passage of the bill,
The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 273**Yeas—94**

Acciavatti	Donigan	LaJoy	Pavlov
Agema	Ebli	Law, David	Pearce
Amos	Elsenheimer	Law, Kathleen	Polidori
Angerer	Emmons	LeBlanc	Proos
Ball	Farrah	Lemmons	Robertson

Bieda	Gaffney	Lindberg	Rocca
Booher	Garfield	Marleau	Sak
Brandenburg	Gillard	Mayer	Schuitmaker
Brown	Gonzales	McDowell	Shaffer
Byrnes	Green	Meadows	Sheen
Byrum	Griffin	Meekhof	Sheltrown
Calley	Hammel	Meisner	Simpson
Casperson	Hansen	Melton	Smith, Virgil
Caswell	Hildenbrand	Meltzer	Spade
Caul	Hoogendyk	Moolenaar	Stahl
Clack	Hopgood	Moore	Steil
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Wojno
DeRoche	Knollenberg	Pastor	Young
Dillon	Lahti		

Nays—14

Accavitti	Hammon	Miller	Stakoe
Bauer	Hood	Scott	Tobocman
Bennett	Jackson	Smith, Alma	Warren
Cheeks	Leland		

In The Chair: Byrnes

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4993, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2106, 2108, 2109, 2110, 2114, and 2127 (MCL 500.2106, 500.2108, 500.2109, 500.2110, 500.2114, and 500.2127) and by adding section 2109a.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4993, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2106, 2108, 2109, 2110, 2114, and 2127 (MCL 500.2106, 500.2108, 500.2109, 500.2110, 500.2114, and 500.2127) and by adding section 2109a.

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

Roll Call No. 274**Yeas—59**

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

Nays—49

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

In The Chair: Byrnes

The House agreed to the title of the bill.

Rep. Caswell, 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:

From the debate on the floor it became obvious that this bill was nothing more than an attempt to lower rates for Detroit citizens. This would result in my citizens getting higher rates or not being able to buy insurance at all if the companies leave the State.”

Rep. Sheen, 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:

No Vote on HB 4993

This has nothing to do with protecting all the citizens in the state and everything to do with subsidized of auto insurance rates in Detroit, at the expense of the rest of the state. It will allow the state and the Insurance commissioner to meddle in the private market. This all about politics and has nothing to do with good policy.”

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

“Mr. Speaker and members of the House:

The chair of House Insurance Committee feels that auto insurance rates in Detroit are too high. In an effort to reduce these rates, he feels the state should play a larger role in regulating the market. His bill proposes that both the Attorney General and consumers should be able to challenge insurance companies if they feel rates are too high. The representative feels that this oversight should be mandated under state law.

However, I believe it is ironic that the sponsor of HB 4993 is also the sponsor of a previous insurance bill that eliminated Attorney General oversight of rate increases in regulated insurance markets and denied consumers the right to challenge rate increases which would result in higher insurance rates for those who can least afford it.

The question becomes one of continuity and consistency. Should the Attorney General have oversight? Should consumers have the ability to challenge rate increases? Should geography be used as a tool to determine insurance rates?”

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 275

Yeas—60

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

Nays—48

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

In The Chair: Byrnes

Second Reading of Bills

House Bill No. 5900, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending the title and section 23 (MCL 780.773), the title as amended by 1988 PA 22 and section 23 as amended by 1988 PA 21, and by adding section 12a.

The bill was read a second time.

Rep. Condino 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. Schuitmaker moved to amend the bill as follows:

1. Amend page 3, line 25, after "**HAS**" by striking out "**25**" and inserting "**50**".

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 2, after "**LEAVE**" by inserting a comma and "**REDUCED BY ANY LEAVE TAKEN UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993, 29 USC 2601 TO 2654,**".

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

Rep. Caswell moved to amend the bill as follows:

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

"SEC. 2B. IF AN ATTORNEY-AT-LAW ENTERS INTO AN EXPRESS OR IMPLIED AGREEMENT WITH A CRIME VICTIM TO PROSECUTE A CLAIM FOR PERSONAL INJURY OR WRONGFUL DEATH CAUSED BY OR RESULTING FROM THE DEFENDANT'S WRONGFUL CONDUCT AND IF THE AGREEMENT PROVIDES THAT THE ATTORNEY'S COMPENSATION IS CONTINGENT IN WHOLE OR IN PART ON SUCCESSFUL PROSECUTION OR SETTLEMENT OF THE CLAIM OR ON THE AMOUNT OF RECOVERY, THE ATTORNEY SHALL NOT RECEIVE, RETAIN, OR SHARE A FEE THAT IS MORE THAN 33% OF THE FIRST \$1,000,000.00 RECOVERED, 15% OF THE NEXT \$4,000,000.00 RECOVERED, AND 10% OF ANY AMOUNT RECOVERED OVER \$5,000,000.00. THE ATTORNEY SHALL PAY 1/2 OF ANY AMOUNT RECEIVED AS COMPENSATION THAT IS MORE THAN \$333,333.00 TO THE STATE."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5900, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending the title and section 23 (MCL 780.773), the title as amended by 1988 PA 22 and section 23 as amended by 1988 PA 21, and by adding section 12a.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4490, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to

provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 12 and 12b (MCL 28.432 and 28.432b), section 12 as amended by 2006 PA 75 and section 12b as added by 1982 PA 182, and by adding section 9d; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-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. Opsommer moved to substitute (H-4) the bill.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4490, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 12 and 12b (MCL 28.432 and 28.432b), section 12 as amended by 2006 PA 75, and section 12b as added by 1982 PA 182, and by adding section 9d; and to repeal acts and parts of acts.

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

Roll Call No. 276

Yeas—98

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

Coulouris
Dean
DeRoche

Jackson
Jones, Rick
Knollenberg

Palmer
Palsrok

Wenke
Wojno

Nays—10

Bauer
Clack
Johnson

Jones, Robert
Meadows
Scott

Smith, Alma
Vagnozzi

Warren
Young

In The Chair: Byrnes

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

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

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 12, and 12b (MCL 28.422, 28.432, and 28.432b), section 2 as amended by 2004 PA 101, section 12 as amended by 2006 PA 75, and section 12b as added by 1982 PA 182; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Angerer moved to reconsider the vote by which the House passed the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 277

Yeas—93

Accavitti
Acciavatti
Agema
Amos
Angerer
Ball
Bennett
Bieda
Booher
Brandenburg
Brown
Byrnes
Byrum
Calley
Casperson
Caswell
Caul

Dillon
Ebli
Elsenheimer
Emmons
Farrah
Gaffney
Garfield
Gillard
Gonzales
Green
Griffin
Hammel
Hammon
Hansen
Hildenbrand
Hoogendyk
Hopgood

LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Marleau
Mayes
McDowell
Meekhof
Meisner
Melton
Meltzer
Miller
Moolenaar
Moore

Pastor
Pavlov
Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen
Sheltrown
Simpson
Smith, Virgil
Spade
Stahl
Stakoe

Clemente	Horn	Moss	Steil
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jones, Rick	Opsommer	Ward
Coulouris	Knollenberg	Palmer	Wenke
Dean	Lahti	Palsrok	Wojno
DeRoche			

Nays—15

Bauer	Hood	Meadows	Vagnozzi
Cheeks	Jackson	Scott	Warren
Clack	Johnson	Smith, Alma	Young
Donigan	Jones, Robert	Tobocman	

In The Chair: Byrnes

Reps. Acciavatti, Agema, Angerer, Ball, Booher, Brandenburg, Brown, Byrum, Casperson, Caswell, Farrah, Gaffney, Garfield, Gonzales, Hammel, Hammon, Hansen, Hildenbrand, Huizenga, Hune, Rick Jones, Knollenberg, Lahti, Marleau, Melton, Moolenaar, Moss, Pastor, Pavlov, Pearce, Polidori, Rocca, Sak, Schuitmaker, Shaffer, Sheen, Simpson, Spade and Ward were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4491, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 224b and 231a (MCL 750.224b and 750.231a), section 231a as amended by 2002 PA 82; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4491, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 224b and 231a (MCL 750.224b and 750.231a), section 231a as amended by 2002 PA 82; and to repeal acts and parts of acts.

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

Roll Call No. 278

Yeas—92

Accavitti	Dillon	Lahti	Palsrok
Acciavatti	Ebli	LaJoy	Pastor
Agema	Elsenheimer	Law, David	Pavlov
Amos	Emmons	Law, Kathleen	Pearce

Angerer	Farrah	LeBlanc	Polidori
Ball	Gaffney	Leland	Proos
Bennett	Garfield	Lemmons	Robertson
Bieda	Gillard	Lindberg	Rocca
Booher	Gonzales	Marleau	Sak
Brandenburg	Green	Mayes	Schuitmaker
Brown	Griffin	McDowell	Shaffer
Byrum	Hammel	Meekhof	Sheen
Calley	Hammon	Meisner	Sheltrown
Casperson	Hansen	Melton	Simpson
Caswell	Hildenbrand	Meltzer	Spade
Caul	Hoogendyk	Miller	Stahl
Clemente	Hopgood	Moolenaar	Stakoe
Condino	Horn	Moore	Steil
Constan	Huizenga	Moss	Valentine
Corriveau	Hune	Nitz	Walker
Coulouris	Johnson	Nofs	Ward
Dean	Jones, Rick	Opsommer	Wenke
DeRoche	Knollenberg	Palmer	Wojno

Nays—16

Bauer	Donigan	Meadows	Tobocman
Byrnes	Hood	Scott	Vagnozzi
Cheeks	Jackson	Smith, Alma	Warren
Clack	Jones, Robert	Smith, Virgil	Young

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Acciavatti, Agema, Ball, Booher, Byrum, Casperson, Caswell, Elsenheimer, Farrah, Gaffney, Gonzales, Hammel, Hammon, Hansen, Hildenbrand, Horn, Hune, Rick Jones, Knollenberg, Lahti, Marleau, Melton, Moolenaar, Palmer, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Schuitmaker, Shaffer, Sheen, Simpson, Spade, Stakoe, Steil and Ward were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 5984, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

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. Condino, Coulouris, Bieda, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Nays: None

Second Reading of Bills

House Bill No. 5984, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5984, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

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

Roll Call No. 279

Yeas—108

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	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
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young

Nays—0

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported
House Bill No. 5963, entitled

A bill entering into the interstate compact on educational opportunity for military children: and for related purposes.
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. Polidori, Brown, Dean, Lemmons, Emmons, Garfield, Pastor and Horn
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, April 16, 2008

Present: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Emmons, Garfield, Pastor and Horn

Second Reading of Bills

House Bill No. 5963, entitled

A bill entering into the interstate compact on educational opportunity for military children: and for related purposes.
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Military and Veterans Affairs and Homeland Security,
The substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. Polidori moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.
Rep. Angerer moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5963, entitled

A bill entering into the interstate compact on educational opportunity for military children: and for related purposes.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 280

Yeas—108

Accavitti
Acciavatti

Dillon
Donigan

Lahti
LaJoy

Pearce
Polidori

Agema	Ebli	Law, David	Proos
Amos	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	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
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Byrnes

The House agreed to the title of the bill.

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

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

Reps. Amos, Ball, Bauer, Booher, Brandenburg, Casperson, Caul, Corriveau, Gaffney, Hammon, Horn, Lahti, LaJoy, LeBlanc, Mayes, Meadows, Melton, Meltzer, Moolenaar, Nitz, Pearce, Proos, Sak, Schuitmaker, Alma Smith, Stahl, Steil and Valentine were named co-sponsors of the bill.

Rep. Hood moved that Rep. Bennett 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. 5865, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B. 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. Angerer moved that Rule 42 be suspended.

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

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

Rep. Ebli moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, line 8, after “**HUNTING-RELATED**,” by inserting “**MOTOR SPORTS ENTERTAINMENT-RELATED**,”.

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

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

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

Roll Call No. 281

Yeas—91

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

Nays—16

Agema	DeRoche	Marleau	Pearce
Brandenburg	Garfield	Moss	Sheen
Calley	Hoogendyk	Palmer	Steil
Caswell	Knollenberg	Pastor	Wenke

In The Chair: Byrnes

The House agreed to the full title.

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

“Mr. Speaker and members of the House:

We are borrowing money to pay for this with unknown results. Tourism is great but not without results and not with borrowed money.”

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

“Mr. Speaker and members of the House:

No Vote on HB 5865 - 5867

My first concern is that we are we taking money from the funding of scholarships which it was intended and must still be funded. This will also create an additional 35 million dollars of debt, which we will have pay on for years to come and does not deal with long term funding problem of tourism. It is another example of a one year short term fix, with long term implications and encumbrances.”

House Bill No. 5866, entitled

A bill to amend 2005 PA 226, entitled “Michigan tobacco settlement finance authority act,” by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

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. Angerer 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. 282

Yeas—88

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

Nays—19

Agema	Green	Moss	Sheen
Brandenburg	Hoogendyk	Palmer	Stahl

Calley	Knollenberg	Pastor	Steil
Caswell	Marleau	Pearce	Wenke
Garfield	Meekhof	Shaffer	

In The Chair: Byrnes

The House agreed to the full title.

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

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

“Mr. Speaker and members of the House:

We are borrowing money to pay for this with unknown results. Tourism is great but not without results and not with borrowed money.”

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

“Mr. Speaker and members of the House:

No Vote on HB 5865 - 5867

My first concern is that we are we taking money from the funding of scholarships which it was intended and must still be funded. This will also create an additional 35 million dollars of debt, which we will have pay on for years to come and does not deal with long term funding problem of tourism. It is another example of a one year short term fix, with long term implications and encumbrances.”

House Bill No. 5867, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

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 2000 PA 489, entitled “An act to create certain funds; to provide for the allocation of certain revenues among certain funds and for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials,” by amending section 8 (MCL 12.258), as added by 2005 PA 232.

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

Rep. Angerer 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. 283

Yeas—85

Accavitti	Elsenheimer	LaJoy	Polidori
Acciavatti	Emmons	Law, David	Proos
Angerer	Farrah	Law, Kathleen	Robertson
Bauer	Gaffney	LeBlanc	Rocca
Bieda	Gillard	Leland	Sak
Booher	Gonzales	Lemmons	Schuitmaker
Brown	Griffin	Lindberg	Scott
Byrnes	Hammel	Mayer	Shaffer
Byrum	Hammon	McDowell	Sheltrown
Casperson	Hansen	Meadows	Simpson

Caul	Hildenbrand	Meekhof	Smith, Alma
Cheeks	Hood	Meisner	Smith, Virgil
Clack	Hopgood	Melton	Spade
Clemente	Horn	Meltzer	Stakoe
Condino	Huizenga	Miller	Tobocman
Constan	Hune	Moolenaar	Vagnozzi
Corriveau	Jackson	Moore	Valentine
Coulouris	Johnson	Nitz	Walker
Dean	Jones, Rick	Nofs	Warren
Dillon	Jones, Robert	Palsrok	Wojno
Donigan	Lahti	Pavlov	Young
Ebli			

Nays—22

Agema	DeRoche	Moss	Sheen
Amos	Garfield	Opsommer	Stahl
Ball	Green	Palmer	Steil
Brandenburg	Hoogendyk	Pastor	Ward
Calley	Knollenberg	Pearce	Wenke
Caswell	Marleau		

In The Chair: Byrnes

The House agreed to the title as amended.

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

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

“Mr. Speaker and members of the House:

We can’t be borrowing when we don’t know if we’ll have the money. It’s irresponsible.”

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

“Mr. Speaker and members of the House:

No Vote on HB 5865 - 5867

My first concern is that we are we taking money from the funding of scholarships which it was intended and must still be funded. This will also create an additional 35 million dollars of debt, which we will have pay on for years to come and does not deal with long term funding problem of tourism. It is another example of a one year short term fix, with long term implications and encumbrances.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that the Committee on Tourism, Outdoor Recreation and Natural Resources be discharged from further consideration of **Senate Bill No. 1223**.

(For first notice see House Journal No. 33, p. 734.)

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

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

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

Second Reading of Bills

Senate Bill No. 1223, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B. The bill was read a second time.

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

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

Rep. Tobocman moved 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. 1223, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 284

Yeas—92

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

Nays—15

Amos	Garfield	Moss	Sheen
Brandenburg	Green	Palmer	Steil
Caswell	Hoogendyk	Pastor	Wenke
DeRoche	Marleau	Pearce	

In The Chair: Byrnes

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

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

A bill to amend 1984 PA 270, entitled "An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts," (MCL 125.2001 to 125.2094) by adding sections 89b, 89c, and 89d.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Sheen, 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:

No Vote on HB 1223 - 1224

My first concern is that we are we taking money from the funding of scholarships which it was intended and must still be funded. This will also create an additional 35 million dollars of debt, which we will have pay on for years to come and does not deal with long term funding problem of tourism. It is another example of a one year short term fix, with long term implications and encumbrances."

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that the Committee on Tourism, Outdoor Recreation and Natural Resources be discharged from further consideration of **Senate Bill No. 1224**.

(For first notice see House Journal No. 33, p. 734.)

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

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

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

Second Reading of Bills

Senate Bill No. 1224, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

The bill was read a second time.

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

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

Rep. Tobocman moved 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. 1224, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

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

Roll Call No. 285

Yeas—86

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

Nays—21

Agema	DeRoche	Marleau	Pearce
Amos	Garfield	Meekhof	Sheen
Ball	Green	Moss	Stahl
Brandenburg	Hoogendyk	Palmer	Steil
Calley	Knollenberg	Pastor	Wenke
Caswell			

In The Chair: Byrnes

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

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

A bill to amend 2000 PA 489, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the

property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; and to repeal acts and parts of acts," by amending section 7 (MCL 12.257), as amended by 2007 PA 50.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

"Mr. Speaker and members of the House:

The cost of this bill in the long run from bond issue is huge. Government can't seem to stop spending money it doesn't have and mortgages the future."

Rep. Sheen, 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:

No Vote on HB 1223 - 1224

My first concern is that we are we taking money from the funding of scholarships which it was intended and must still be funded. This will also create an additional 35 million dollars of debt, which we will have pay on for years to come and does not deal with long term funding problem of tourism. It is another example of a one year short term fix, with long term implications and encumbrances."

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 885, entitled

A bill to amend 1996 PA 376, entitled "An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials," by amending sections 3, 8d, 8e, 9, and 10 (MCL 125.2683, 125.2688d, 125.2688e, 125.2689, and 125.2690), section 3 as amended by 2006 PA 304, section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and sections 9 and 10 as amended by 2007 PA 186.

The Senate has amended the House substitute (H-3) as follows:

1. Amend page 11, line 3, by striking out all of section 9.

The Senate has concurred in the House substitute (H-3) as amended and amended the title to read as follows:

A bill to amend 1996 PA 376, entitled "An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials," by amending sections 3, 8d, 8e, and 10 (MCL 125.2683, 125.2688d, 125.2688e, 125.2689, and 125.2690), section 3 as amended by 2006 PA 304, section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and section 10 as amended by 2007 PA 186.

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-3) 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. 286**Yeas—107**

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Agema	Elsenheimer	Law, Kathleen	Robertson
Amos	Emmons	LeBlanc	Rocca
Angerer	Farrah	Leland	Sak
Ball	Gaffney	Lemmons	Schuitmaker
Bauer	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayer	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
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti	Pearce	

Nays—0

In The Chair: Byrnes

The House agreed to the title as amended.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sak, Ball, Bauer, Bieda, Booher, Brandenburg, Brown, Byrnes, Casperson, Constan, Dean, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Rick Jones, Robert Jones, Knollenberg, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, McDowell, Meisner, Miller, Palmer, Pearce, Polidori, Proos, Scott, Shaffer, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Warren, Cheeks, Clack, Hammel, Lahti, David Law and Sheltrown offered the following resolution:

House Resolution No. 327.

A resolution observing April 16, 2008, as Michigan Kidney Disease and Diabetes Awareness Day.

Whereas, Healthy kidneys are essential for processing 200 quarts of blood per day to remove fluids, wastes and toxins from the body and, release hormones to regulate blood pressure, make red blood cells and promote strong bones; and

Whereas, More than 769,000 Michiganians, or one in nine adults, suffer from chronic kidney disease; and

Whereas, Of the 11,000 Michigianians afflicted with kidney failure, approximately 47 percent are African-American; and
 Whereas, The two main causes of chronic kidney disease, that account for more than 70 percent of all cases, are diabetes and high blood pressure; and

Whereas, Obesity and inactivity will cause one in three children born in 2000 to develop diabetes and become at-risk for kidney disease; and

Whereas, The mission of the National Kidney Foundation of Michigan is to prevent kidney disease, improve the quality of life for those living with it and promote early detection to aid in the prevention of the progression from kidney disease to kidney failure, which requires dialysis or a kidney transplant to maintain life; and

Whereas, The cost of treatment for kidney disease patients is disproportionately higher than that of any other chronic disease; and

Whereas, With the help of dedicated volunteers and supporters across the state, the National Kidney Foundation of Michigan has continuously served the people of Michigan for the last 52 years with superior care, and will continue to offer additional programs and services to more people than any other affiliate in the country; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body observe April 16, 2008, as Michigan Kidney Disease and Diabetes Awareness Day. We hope that all possible support will continue to be extended to the prevention and treatment of Diabetes and Kidney disease in Michigan, throughout the country and the world.

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. Polidori, Nofs, Accavitti, LeBlanc, Casperson, Opsommer, Condino, Lemmons, Valentine, Clemente, McDowell, Pastor, Sheltroun, Meisner, Gonzales, Hoppgood, Young, Lahti, Lindberg, Gillard, Kathleen Law, Bennett, Dean, Byrnes, Farrah, Ward, Rick Jones, Stahl, Hune, Johnson, Angerer, Corriveau, Constan, Ebli, Brown, Emmons, Garfield, Pearce, Caul, Sheen, Nitz, Moss, Ball, Bauer, Bieda, Brandenburg, Green, Hammon, Hansen, Hildenbrand, Horn, Robert Jones, Knollenberg, Leland, Marleau, Palmer, Proos, Sak, Scott, Shaffer, Spade, Vagnozzi, Rocca, Clack, Hammel and David Law offered the following resolution:

House Resolution No. 328.

A resolution recognizing April 2008 as the Month of the Military Child in the state of Michigan.

Whereas, Thousands of brave Americans have demonstrated their courage and commitment to freedom by serving the armed forces of the United States of America in active duty posts in Afghanistan, Iraq, and around the world; and

Whereas, More than 40 percent of these soldiers, sailors, airmen, and Marines have left families with children behind; and

Whereas, More than one million of America's children have at least one parent currently serving active military duty; and

Whereas, These children are a source of pride and honor to us all. It is only fitting that we take time to recognize their contributions, celebrate their spirit, and let our men and women in uniform know that while they are taking care of us, we are taking care of their children; and

Whereas, A month-long salute to military children will encourage support for "Kids Serve Too" and other organizations and campaigns established to provide direct support to military children and families; and

Whereas, The recognition of the Month of the Military Child will allow us to pay tribute to military children for their commitment, struggles, and unconditional support of our troops, because when parents serve in the military, their "Kids Serve Too"; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 2008 as the Month of the Military Child in the state of Michigan; and be it further

Resolved, That we encourage all citizens to observe the month with appropriate ceremonies and activities that honor, support, and thank military children.

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. Meisner, Griffin, Angerer, Sak, Knollenberg, Moss, Leland, Donigan, Elsenheimer, Tobocman, Huizenga, David Law, Miller, Stahl, Rick Jones, Nofs, Moore, Opsommer, Green, Calley, Agema, Dean, Palmer, Shaffer, Hoogendyk, Marleau, Casperson, LaJoy, Sheen, Ward, Simpson, Jackson, Accavitti, Ball, Bauer, Bieda, Brandenburg, Brown, Byrnes, Condino, Constan, Garfield, Gonzales, Hammon, Hansen, Hildenbrand, Hoppgood, Robert Jones, Kathleen Law, Lemmons, McDowell, Pearce, Proos, Scott, Spade, Stakoe, Vagnozzi, Valentine, Clack, Hammel, Lahti and Sheltroun offered the following resolution:

House Resolution No. 329.

A resolution recognizing the 60th anniversary of the State of Israel.

Whereas, The year 2008 marks the 60th anniversary of the founding of the modern Jewish State of Israel; and

Whereas, We would like to reaffirm the bonds of friendship, cooperation, and collaboration between Michigan and Israel; and

Whereas, On November 29, 1947, the United Nations General Assembly voted to end the British Mandate of Palestine, partition the country and, through that vote, create the State of Israel; and

Whereas, Officially declared an independent nation on May 14, 1948, Israel plans a series of events throughout the year to celebrate its 60th anniversary; and

Whereas, The desire of the Jewish people to establish an independent modern State of Israel is the outgrowth of the existence of the historic Kingdom of Israel established three thousand years ago in the city of Jerusalem and in the land of Israel; and

Whereas, A century ago at the First Zionist Congress, in Basel, Switzerland, participants, under the leadership of Theodore Herzl, affirmed the desire to reestablish a Jewish homeland in the historic land of Israel; and

Whereas, In its 60 years of existence, Israel has become the most successful democracy in the Middle East, and its citizens enjoy one of the highest standards of living in the area; and

Whereas, Born in the ashes of the Nazi Holocaust and crimes against the Jews in Europe and the Middle East, Israel has from its inception faced the hostility and, frequently, the armed aggression of its neighbors; and

Whereas, Since its establishment sixty years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life despite the heavy costs of six wars, terrorism, international ostracism, and economic boycotts; and

Whereas, Despite difficult and often dangerous circumstances, Israel has prospered. It has been blessed with a number of great leaders, from David Ben-Gurion and Golda Meir to Menachem Begin and Yitzak Rabin; and

Whereas, Israel continues to strive for peace with security and dignity for themselves and their neighbors; and

Whereas, The connection between Michigan and Israel is strong and growing, as evidenced by the creation of the Michigan Israel Business Bridge to promote economic and business partnerships between the States; and

Whereas, With the anniversary observance taking place throughout the year, Israel will celebrate its anniversary with events marking the birth and development of the state, the struggle to find peace and security, and its hopes for the future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the 60th anniversary of the State of Israel; and be it further

Resolved, That we commend the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East. We reaffirm the bonds of friendship and cooperation which have existed between the United States and Israel, which have been very significant for both countries. We recommit to working with Israel to assure its security in its quest for peace with its neighbors and the countries in the region; and be it further

Resolved, That we extend the warmest congratulations and best wishes to the State of Israel and her people for a peaceful, prosperous, and successful future; and be it further

Resolved, That we transmit a copy of this resolution to Israeli Ambassador Sallai Meridor as an expression of the admiration for Israel's manifold accomplishments and best wishes for a peaceful and prosperous future.

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. Vagnozzi, Sak, Jackson, Amos, Condino, Warren, Bauer, LeBlanc, Accavitti, Ball, Bieda, Booher, Brandenburg, Brown, Byrnes, Casperson, Caul, Constan, Dean, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Rick Jones, Robert Jones, Knollenberg, Kathleen Law, Leland, Lemmons, Marleau, McDowell, Meisner, Miller, Nitz, Opsommer, Palmer, Pearce, Polidori, Proos, Scott, Shaffer, Alma Smith, Spade, Stahl, Stakoe, Tobocman, Valentine, Rocca, Cheeks, Clack, Hammel, Lahti, David Law and Sheltrown offered the following resolution:

House Resolution No. 330.

A resolution recognizing the week of April 13-19, 2008, as National Library Week in the state of Michigan and congratulating the American Library Association on the occasion of the 50th anniversary of National Library Week.

Whereas, The American Library Association (ALA) annually designates a week in April as a national observance to celebrate the contributions of this nation's libraries, librarians and library workers to their communities and to promote library use and support; and

Whereas, This year, the ALA will be celebrating the 50th anniversary of National Library Week, which was first sponsored in 1958; and

Whereas, Each year, participants include all types of libraries across the country, including school, public, academic and special libraries; and

Whereas, This year's theme is "Join the circle of knowledge at your library," as citizens of all ages are being encouraged to find out how they can join the circle of knowledge by visiting their local library; and

Whereas, America's libraries are vital institutions and dynamic centers of lifelong learning that play a unique role in ensuring the public's right to know and empowering people from all walks of life to make informed decisions about the world around them; and

Whereas, Libraries play an integral role as community, educational and cultural centers that bring together diverse populations and serve as important cornerstones in healthy communities; and

Whereas, Libraries have the most recent ideas and information available on subjects and are a cost-effective means of providing education, training and the opportunity for self-improvement to all individuals without regard to age, race, income or socioeconomic background; and

Whereas, As vital connections to the people, places and ideas of the world through books, magazines, videos and the Internet, libraries are the primary point of online access for people without computers at home, school or work; and

Whereas, Libraries provide indispensable educational resources for children and teenagers, plenty of free activities, as well as safe, enriching entertainment for the whole family; and

Whereas, Librarians and library workers play key roles in helping people explore, imagine and discover new horizons in the vast world of information, knowledge and entertainment; and

Whereas, Two-thirds of adult Americans visit their local public libraries annually, with more than a billion visits made each year by adults, and likewise by students to their school libraries; and

Whereas, America's libraries play a key role in the national discourse on intellectual freedom, equity of access and narrowing the digital divide and are the cornerstone of our democracy; and

Whereas, Thousands of libraries and library supporters across the nation are celebrating National Library Week this year; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the week of April 13-19, 2008, as National Library Week in Michigan, and encourage all citizens of Michigan to visit their local library and explore the wide variety of cultural and educational riches that libraries hold; and be it further

Resolved, That we recognize this nation's librarians, library workers and supporters for their contributions to their communities, and congratulate the American Library Association on the occasion of the 50th anniversary of National Library Week.

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. Lahti, Lindberg, Bauer, McDowell, Polidori, Bieda, Corriveau, Valentine, Meadows, Stahl, Accavitti, Ball, Brandenburg, Brown, Byrnes, Casperson, Condino, Constan, Dean, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Rick Jones, Robert Jones, Knollenberg, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Meisner, Nitz, Palmer, Pearce, Proos, Sak, Scott, Shaffer, Simpson, Alma Smith, Spade, Stakoe, Tobocman, Vagnozzi, Rocca, Clack, Hammel, David Law and Sheltroun offered the following resolution:

House Resolution No. 331.

A resolution proclaiming the week preceding Armed Forces Day 2008 as Armed Forces Appreciation Week in the state of Michigan.

Whereas, The state of Michigan has always supported and honored the United States Military; and

Whereas, Many Michigan residents have an honored tradition of serving in the United States Military; and

Whereas, In the spirit of further honoring and supporting a resolution passed by the United States Congress in 1999 proclaiming May as National Military Appreciation Month; and

Whereas, In the spirit of further honoring and supporting the resolution by Governor Granholm proclaiming May as Military Appreciation Month; and

Whereas, The state of Michigan desires to express and demonstrate an appreciation to the men and women who have served in the military and their families who have sacrificed as well, and to the military organization in which they served; and

Whereas, Calling on the people of Michigan, including businesses, schools, organizations, associations, churches, and the media to create and implement activities to thank, honor, and support the men and women who have served and are currently serving in the United States Armed Forces; and

Whereas, Since Armed Forces Week culminates on Armed Forces Day, communities are hereby encouraged to support this special day by hosting a "Parade of Thanks"; and

Whereas, We can never thank our veterans enough, but with the establishment of "Armed Forces Appreciation Week" we are going to try; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body proclaim the week preceding Armed Forces Day (the third Saturday in May) as Armed Forces Appreciation Week in the state of Michigan.

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. Miller, Bieda, Accavitti, Ball, Brown, Byrnes, Condino, Constan, Dean, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, McDowell, Meisner, Pearce, Proos, Sak, Scott, Shaffer, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Warren, Cheeks, Clack, Hammel, Lahti, David Law and Sheltrown offered the following resolution:

House Resolution No. 332.

A resolution to commemorate May 12, 2008, as Michigan Fibromyalgia Awareness Day.

Whereas, Fibromyalgia is a disease without a known cause or cure. This chronic disease affects people of all ages throughout the world. Nearly 10 million people in the United States alone suffer from this chronic disease; and

Whereas, Fibromyalgia is a chronic condition, which causes people to suffer from often intolerable pain. One of the affects of Fibromyalgia is sleep fatigue as a result of a lack of deep sleep as well as patterns of non-restorative sleep. Fibromyalgia can also cause various nervous system pains such as; neuropathic pain, central nervous system pain, and transmitter or receptor dysfunction pain. It can also cause headaches, interstitial cystitis, dizziness, tingling sensations, lack of sensations, vision problems, noise sensitivity, dysfunctional bowels, and problems with memory functioning; and

Whereas, People afflicted by this condition find it nearly impossible to complete their daily routines. Patients have difficulty lifting any object even of light weight, have problems using stairs, and any slight physical strain makes it almost impossible to conduct daily activities; and

Whereas, A diagnosis of Fibromyalgia takes an average of five years. Throughout the time the patient is enduring enormous amounts of pain, he or she often must face discrimination at both the workplace, and the community; and

Whereas, The lack of public education of Fibromyalgia makes it extremely difficult to treat as well as to diagnose. Increasing public education and research on the causes and diagnosis of this illness would help to eliminate a misunderstanding of its conditions, and possibly make advances in diagnosis and treatment more likely in the future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate May 12, 2008, as Michigan Fibromyalgia Awareness Day.

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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Byrnes offered the following concurrent resolution:

House Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Technical and Industrial Building Renovations Project.

Whereas, Section 5 of Act No. 183 of the Public Acts of 1964, as amended, being section 830.415 of the Michigan Compiled Laws, requires the approval of the Board of Trustees of Washtenaw Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Technical and Industrial Building Renovations Project (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of Act No. 183 of the Public Acts of 1964, as amended, being section 830.417 of the Michigan Compiled Laws, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost shall not exceed \$13,985,000 (the Authority share is \$2,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$10,985,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$2,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$206,000 and \$269,000, as shall reflect variations which may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to annually appropriate sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Educational Institution, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Bauer offered the following concurrent resolution:

House Concurrent Resolution No. 81.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group F VanWagoner Building (the "Facility").

Whereas, By House Concurrent Resolution 35 of 2007, adopted on November 29, 2007, the Michigan Legislature approved a Total Facility Cost of \$47,296,000 for the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group E Special Maintenance Projects (the "Group E Project"); and

Whereas, Since adoption of House Concurrent Resolution 35 of 2007, it has been proposed that the portion of the Group E Project applicable to the VanWagoner Building should be removed from the Total Facility Cost for the Group E Project and made a part of the current Facility financing; and

Whereas, The amount of such transfer is \$9,233,000; and

Whereas, The Michigan Legislature hereby acknowledges the transfer of such \$9,233,000 excess funding from the Group E Project to the Facility; and

Whereas, Section 5 of Act No. 183 of the Public Acts of 1964, as amended, being section 830.415 of the Michigan Compiled Laws, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site of the Facility is currently owned by the State; and

Whereas, Section 7 of Act No. 183 of the Public Acts of 1964, as amended, being section 830.417 of the Michigan Compiled Laws, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost shall not exceed \$14,750,000 (the Authority share is \$14,750,000 and the State General Fund/General Purpose share is \$0), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$14,750,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,167,000 and \$1,478,000, as shall reflect variations which may occur in the components upon which the appraisal of True Rental was based, which amount shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Hood offered the following concurrent resolution:

House Concurrent Resolution No. 82.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group G Special Maintenance Projects (the "Facility").

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires that before a lease between the State of Michigan (the "State") and the State Building Authority (the "Authority") that is only for capital maintenance improvements is executed, the general form of the lease shall be approved by concurrent resolution of the Legislature concurred in by a majority of the members elected to and serving in each house of the Michigan Legislature, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose. The description of the property to be leased and the rental to be paid by the State shall be approved by the State Administrative Board; and

Whereas, Providing capital maintenance improvements to be used by the State pursuant to a lease with the Authority is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost shall not exceed \$9,960,000 (the Authority share is \$9,960,000 and the State General Fund/General Purpose share is \$0), plus interest charges on monies advanced by the State to meet the acquisition and installation cash flow requirements of the Facility, if any, of which not more than \$9,960,000, plus interest charges on monies advanced by the State to meet the acquisition and installation cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonacquisition and installation costs; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$788,000 and \$998,000, as shall reflect variations which may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by Act No. 183 of the Public Acts of 1964, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That by hereby approving the Lease between the State and the Authority, the Legislature agrees to annually appropriate sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, April 16:

House Bill Nos.	5985	5986	5987	5988	5989			
Senate Bill Nos.	1248	1249	1250	1251	1252	1253	1254	1255

Reports of Standing Committees

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 5213, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2002 PA 472; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe and Rick Jones

Nays: Reps. Elsenheimer and Rocca

The Committee on Judiciary, by Rep. Condino, Chair, reported

Senate Bill No. 435, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8152 (MCL 600.8152), as amended by 2002 PA 92.

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. Condino, Coulouris, Bieda, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer and Stakoe

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 16, 2008

Present: Reps. Condino, Coulouris, Bieda, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Absent: Reps. Corriveau and David Law

Excused: Reps. Corriveau and David Law

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

House Concurrent Resolution No. 54.

A concurrent resolution to memorialize the United States Congress to enact the Education Begins at Home Act. (For text of concurrent resolution, see House Journal No. 113 of 2007, p. 1836.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Clack, Dean, Accavitti, Hammon and Wojno

Nays: Reps. Sheen and Hoogendyk

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, April 16, 2008

Present: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Absent: Rep. Palmer

Excused: Rep. Palmer

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 5893, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201 and 203 (MCL 208.1201 and 208.1203), section 201 as amended by 2007 PA 145.

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. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Wenke and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 16, 2008

Present: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Wenke and Calley

Absent: Reps. Sheen, Steil, Pastor and Palmer

Excused: Reps. Sheen, Steil, Pastor and Palmer

Messages from the Senate

House Bill No. 5463, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 410 (MCL 208.1410).

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

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

Communications from State Officers

The following communication from the Department of Human Services was received and read:

April 8, 2008

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Adrian Training School	2008C0212014	CS460200931

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

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

Sincerely,
Ismael Ahmed
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Marleau, Moss, Agema, Knollenberg, Palmer, Proos, Shaffer, LaJoy, Brandenburg, Pastor, Rick Jones, David Law, Robertson, Hune, Gaffney, Moore, Stakoe, Moolenaar, Caul, Booher, Hansen, Ball, Opsommer, Nitz, Pearce, Meltzer, Acciavatti, Amos, Rocca, Stahl, Calley, Meekhof, Green and Horn introduced

House Bill No. 5990, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 933 (MCL 168.933), as amended by 2003 PA 119, and by adding section 849.

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

Reps. Agema, Moss, Amos, Calley, Nitz, Rocca, Pearce, Opsommer, Ball, Hoogendyk, Sheen, Robertson, Hune, LaJoy, Walker, Moolenaar, Booher, Moore, Caul, Stakoe, Hansen, Steil, Caswell, Stahl, Pastor, Huizenga, Shaffer, Horn, Emmons, Elsenheimer, Hildenbrand, David Law, Rick Jones, Green, Meekhof, Pavlov, Marleau, Knollenberg, Schuitmaker, Garfield, Palmer, Gaffney, DeRoche and Meltzer introduced

House Bill No. 5991, entitled

A bill to prohibit state universities from classifying certain aliens as residents of this state for purposes of determining tuition.

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

Reps. Ball, Sheltroun, Polidori, Garfield, Opsommer, Caul, Moolenaar, Walker, Booher, Hansen, Nofs and Gaffney introduced

House Bill No. 5992, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 3119 (MCL 289.3119), as amended by 2007 PA 113.

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

Reps. Simpson, Johnson, Condino, Bieda, Donigan, Vagnozzi, Leland, Jackson, Cushingberry, Hammon and Clack introduced

House Bill No. 5993, entitled

A bill to amend 1996 PA 305, entitled "Acknowledgment of parentage act," by amending section 11 (MCL 722.1011). The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Sak and Condino introduced

House Bill No. 5994, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2977.

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

Rep. Lemmons introduced

House Joint Resolution XX, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 21 of article V, to modify the nomination process for the secretary of state and attorney general.

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

Rep. Lemmons introduced

House Joint Resolution YY, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 2 of article VI, to modify the nomination process for incumbent justices of the supreme court.

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

Announcements by the Clerk

March 2008

Received from Michigan Law Revision Commission the 2006-2007 Combined Annual Report pursuant to Article IV, Section 15 of the Michigan Constitution.

Richard J. Brown
Clerk of the House

Rep. Lemmons moved that the House adjourn.
The motion prevailed, the time being 4:40 p.m.

Associate Speaker Pro Tempore Byrnes declared the House adjourned until Thursday, April 17, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

