

**No. 91**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2004**

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House Chamber, Lansing, Wednesday, December 8, 2004.

10:00 a.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	Gaffney—present	Meisner—present	Sheen—present
Acciavatti—present	Garfield—present	Meyer—present	Sheltrown—present
Adamini—present	Gieleghem—present	Middaugh—present	Shulman—present
Amos—present	Gillard—present	Milosch—present	Smith—present
Anderson—present	Gleason—present	Minore—present	Spade—present
Bieda—present	Hager—present	Moolenaar—present	Stahl—present
Bisbee—present	Hardman—excused	Mortimer—present	Stakoe—present
Bradstreet—present	Hart—present	Murphy—present	Stallworth—present
Brandenburg—present	Hood—present	Newell—present	Steil—present
Brown—present	Hoogendyk—present	Nitz—present	Stewart—present
Byrum—present	Hopgood—present	Nofs—present	Tabor—present
Casperson—present	Howell—present	O’Neil—present	Taub—present
Caswell—present	Huizenga—present	Palmer—present	Tobocman—present
Caul—present	Hummel—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hune—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Hunter—present	Pastor—present	Vander Veen—present
Condino—present	Jamnack—present	Phillips—present	Voorhees—present
Daniels—e/d/s	Johnson, Rick—present	Plakas—present	Walker—present
Dennis—present	Johnson, Ruth—present	Pumford—present	Ward—present
DeRoche—present	Julian—present	Reeves—present	Waters—present
DeRossett—present	Koetje—present	Richardville—present	Wenke—present
Dillon—present	Kolb—present	Rivet—present	Whitmer—present
Drolet—present	Kooiman—present	Robertson—present	Williams—present
Ehardt—present	LaJoy—present	Rocca—present	Wojno—present
Elkins—present	LaSata—e/d/s	Sak—present	Woodward—present
Emmons—present	Law—present	Shackleton—present	Woronchak—present
Farhat—present	Lipsey—present	Shaffer—present	Zelenko—present
Farrah—present	McConico—present		

e/d/s = entered during session

Rep. Joseph L. Rivet, from the 96th District, offered the following invocation:

“Lord, my prayer is a simple one. We thank You for Your many gifts and blessings. We ask that You grant us peace—Your peace in our hearts, and may we do Your will. Amen.”

Rep. Waters moved that Rep. Hardman be excused from today’s session.  
The motion prevailed.

### Third Reading of Bills

#### Senate Bill No. 591, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109h. (The bill was read a third time and postponed temporarily on September 29, see House Journal No. 83, p. 2333.)  
The question being on the passage of the bill,

Rep. O’Neil moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless both Senate Bill No. 1076 and House Bill No. 5630 of the 92nd Legislature are enacted into law.”.

The question being on the seconding of the motion made by Rep. O’Neil,

The motion was seconded.

The question being on the adoption of the amendment offered by Rep. O’Neil,

Rep. McConico demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. O’Neil,

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

#### Roll Call No. 1011

#### Yeas—37

Amos	Garfield	Law	Sheen
Anderson	Hart	Middaugh	Shulman
Bradstreet	Hopgood	Moolenaar	Stahl
Brandenburg	Huizenga	Mortimer	Steil
Dennis	Hummel	O’Neil	Stewart
DeRoche	Hune	Palmer	Vander Veen
Dillon	Julian	Pastor	Voorhees
Drolet	Kooiman	Richardville	Walker
Farrah	LaJoy	Robertson	Woronchak
Gaffney			

#### Nays—67

Accavitti	Farhat	Meyer	Smith
Acciavatti	Gielegem	Milosch	Spade
Adamini	Gillard	Minore	Stakoe
Bieda	Gleason	Murphy	Stallworth
Bisbee	Hager	Newell	Taub
Brown	Hood	Nitz	Tobocman
Byrum	Hoogendyk	Nofs	Vagnozzi
Casperson	Howell	Palsrok	Van Regenmorter

Caswell	Hunter	Pappageorge	Ward
Caul	Jamnick	Phillips	Waters
Cheeks	Johnson, Rick	Plakas	Wenke
Clack	Johnson, Ruth	Pumford	Whitmer
Condino	Koetje	Reeves	Williams
DeRossett	Kolb	Rocca	Wojno
Ehardt	Lipsey	Sak	Woodward
Elkins	McConico	Shaffer	Zelenko
Emmons	Meisner	Sheltrown	

In The Chair: Julian

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. 1012**

**Yeas—59**

Accavitti	Hoogendyk	Nitz	Stakoe
Acciavatti	Howell	Nofs	Stallworth
Amos	Hummel	Palmer	Steil
Bisbee	Hunter	Palsrok	Taub
Bradstreet	Johnson, Rick	Pappageorge	Tobocman
Casperson	Johnson, Ruth	Phillips	Van Regenmorter
Caswell	Koetje	Pumford	Vander Veen
Caul	Kolb	Reeves	Voorhees
Cheeks	Kooiman	Rivet	Walker
DeRoche	McConico	Robertson	Ward
Drolet	Meyer	Rocca	Wenke
Ehardt	Milosch	Shaffer	Williams
Emmons	Moolenaar	Shulman	Wojno
Garfield	Mortimer	Smith	Woodward
Hager	Newell	Stahl	

**Nays—45**

Adamini	Farhat	Jamnick	Sak
Anderson	Farrah	Julian	Sheen
Bieda	Gaffney	LaJoy	Sheltrown
Brandenburg	Gielegem	Law	Spade
Brown	Gillard	Meisner	Stewart
Byrum	Gleason	Middaugh	Tabor
Clack	Hart	Minore	Vagnozzi
Condino	Hood	Murphy	Waters
Dennis	Hopgood	O'Neil	Whitmer
DeRossett	Huizenga	Pastor	Woronchak
Dillon	Hune	Plakas	Zelenko
Elkins			

In The Chair: Julian

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

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

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by

this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," (MCL 400.1 to 400.119b) by adding section 109i.

The motion prevailed.

The House agreed to the title as amended.

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

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

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Rep. Waters, 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 Wayne County Commissioners should do their job and create the authority at the local level. Creating this authority at the state level sets bad precedent and it diminishes local control."

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

"Mr. Speaker and members of the House:

I voted 'No' on Senate Bill 591 because it takes away local control from Wayne County. It is not the job of the state to dictate an Authority change for a local Mental Health Agency. Wayne County taxpayers have a financial stake in the community mental health system and responsibility to oversee its programs and services should be retained at the local level.

An Authority is a quasi-governmental board with few checks and balances. Without Wayne County's financial support, mental health services could suffer in the community. Currently, Wayne County is responsible for any deficits that the agency incurs. As an Authority, however, the County would no longer be a fall back option, and programs and services for local citizens could be jeopardized. Control of the community mental health system should remain within individual communities, and it is not the role of state lawmakers to mandate this change for any county."

### **Second Reading of Bills**

#### **Senate Bill No. 1076, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 204 (MCL 330.1204), as amended by 1995 PA 290.

The bill was read a second time.

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 3, following line 7, by inserting:

"(e) House Bill No. 5630."

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

Rep. Ehardt 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. O’Neil moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 92nd legislature are enacted into law:

(a) House Bill No. 5630.

(b) Senate Bill No. 591.

(c) Senate Bill No. 1079.”.

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

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

“Sec. 216. Notwithstanding the provisions of sections 212 and 214, when a single county establishes a community mental health services program and totally situated within that county is a city having a population of at least 500,000, ~~6~~ **the county shall establish a board having 13 members. Six** of the ~~12~~ **13** board members shall be appointed to the board by the city’s chief executive officer **with the advice and consent of the city council**. In a charter county, the remaining ~~6~~ **7** members shall be appointed to the board by the county’s chief executive officer, with the advice and consent of the county board of commissioners. The 6 board members appointed by the city shall be residents of the city, and the ~~6~~ **7** board members appointed by the county or by the county executive in a charter county shall be residents of the county ~~but not~~ **and at least 1 of those members shall be a resident** of the city.”.

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

Rep. Amos moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

“Enacting section 1. Section 216 of the mental health code, 1974 PA 258, MCL 330.1216, is repealed.” and renumbering the remaining enacting section.

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

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

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

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

The motion prevailed.

Rep. Richardville 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. 1076, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 204 (MCL 330.1204), as amended by 1995 PA 290.

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

**Roll Call No. 1013**

**Yeas—60**

Accavitti	Hager	Newell	Stahl
Acciavatti	Hoogendyk	Nitz	Stakoe
Amos	Howell	Nofs	Stallworth
Bisbee	Hummel	Palmer	Steil
Bradstreet	Hunter	Palsrok	Taub
Casperson	Johnson, Rick	Pappageorge	Tobocman
Caswell	Johnson, Ruth	Phillips	Van Regenmorter
Caul	Koetje	Pumford	Vander Veen
Cheeks	Kolb	Reeves	Voorhees

DeRoche	Kooiman	Rivet	Walker
Drolet	McConico	Robertson	Ward
Ehardt	Meyer	Rocca	Wenke
Emmons	Middaugh	Shaffer	Williams
Farhat	Moolenaar	Shulman	Wojno
Garfield	Mortimer	Smith	Woodward

### Nays—39

Adamini	Elkins	Jamnick	Sheltrown
Anderson	Farrah	Julian	Spade
Bieda	Gaffney	LaJoy	Stewart
Brandenburg	Gielegem	Law	Tabor
Brown	Gillard	Meisner	Vagnozzi
Byrum	Gleason	Murphy	Waters
Condino	Hart	O'Neil	Whitmer
Dennis	Hopgood	Pastor	Woronchak
DeRossett	Huizenga	Sak	Zelenko
Dillon	Hune	Sheen	

In The Chair: Julian

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

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

A bill to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending sections 204 and 216 (MCL 330.1204 and 330.1216), as amended by 1995 PA 290.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 1079, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 232a (MCL 330.1232a), as amended by 2002 PA 597.

The bill was read a second time.

Rep. O'Neil moved to amend the bill as follows:

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

"(e) House Bill No. 5630."

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

Rep. Ehardt 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. O'Neil moved to amend the bill as follows:

1. Amend page 6, following line 22, by inserting:

“This amendatory act does not take effect unless all of the following bills of the 92nd legislature are enacted into law:

(a) House Bill No. 5630.

(b) Senate Bill No. 591.

(c) Senate Bill No. 1076.”.

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

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

The motion prevailed.

Rep. Richardville 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. 1079, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 232a (MCL 330.1232a), as amended by 2002 PA 597.

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

#### Roll Call No. 1014

#### Yeas—59

Accavitti	Hoogendyk	Newell	Stahl
Acciavatti	Howell	Nitz	Stakoe
Amos	Hummel	Nofs	Steil
Bisbee	Hunter	Palmer	Taub
Bradstreet	Johnson, Rick	Palsrok	Tobocman
Casperson	Johnson, Ruth	Pappageorge	Van Regenmorter
Caswell	Koetje	Phillips	Vander Veen
Caul	Kolb	Pumford	Voorhees
Cheeks	Kooiman	Reeves	Walker
DeRoche	McConico	Rivet	Ward
Drolet	Meyer	Robertson	Wenke
Ehardt	Middaugh	Rocca	Williams
Emmons	Milosch	Shaffer	Wojno
Garfield	Moolenaar	Shulman	Woodward
Hager	Mortimer	Smith	

#### Nays—39

Adamini	Dillon	Huizenga	Sak
Anderson	Elkins	Hune	Sheen
Bieda	Farhat	Julian	Sheltrown
Brandenburg	Farrar	LaJoy	Spade
Brown	Gaffney	Law	Stewart
Byrum	Gielegem	Meisner	Tabor
Clack	Gillard	Murphy	Vagnozzi
Condino	Gleason	O'Neil	Waters
Dennis	Hart	Pastor	Woronchak
DeRossett	Hopgood	Plakas	

In The Chair: Julian

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### House Bill No. 5630, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 212 and 216 (MCL 330.1212 and 330.1216), as amended by 1995 PA 290.

(The bill was passed, vote reconsidered and bill postponed for the day on September 29, see House Journal No. 83, p. 2398.)

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. 1015

### Yeas—63

Acciavatti	Farrah	Law	Shulman
Amos	Gaffney	Meyer	Stahl
Anderson	Garfield	Middaugh	Stakoe
Bisbee	Hager	Milosch	Steil
Bradstreet	Hoogendyk	Moolenaar	Stewart
Brandenburg	Hopgood	Mortimer	Tabor
Casperson	Howell	Nitz	Taub
Caswell	Huizenga	O’Neil	Vagnozzi
Caul	Hummel	Palmer	Van Regenmorter
Dennis	Hune	Pappageorge	Vander Veen
DeRoche	Johnson, Rick	Pastor	Voorhees
DeRossett	Johnson, Ruth	Plakas	Walker
Dillon	Julian	Robertson	Ward
Drolet	Koetje	Rocca	Wenke
Ehardt	Kooiman	Shaffer	Woronchak
Farhat	LaJoy	Sheen	

### Nays—38

Accavitti	Gielegem	Newell	Spade
Adamini	Gillard	Nofs	Stallworth
Bieda	Gleason	Palsrok	Tobocman
Brown	Hart	Phillips	Waters
Byrum	Hunter	Pumford	Whitmer
Cheeks	Kolb	Reeves	Williams
Clack	Lipsey	Sak	Wojno
Condino	McConico	Sheltrown	Woodward
Elkins	Meisner	Smith	Zelenko
Emmons	Murphy		

In The Chair: Julian

The House agreed to the title of the bill.



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

Rep. Richardville moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 1193**.  
The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 850, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 283a.

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

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

Rep. Koetje moved to amend the bill as follows:

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

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 851 of the 92nd Legislature is enacted into law."

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

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

The motion prevailed.

#### **Senate Bill No. 851, entitled**

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476).

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

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

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

The motion prevailed.

#### **Senate Bill No. 823, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 807, 808, 810a, and 821 (MCL 600.504, 600.807, 600.808, 600.810a, and 600.821), sections 807, 808, and 821 as amended by 2003 PA 40 and sections 504 and 810a as amended by 2002 PA 715.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 90, p. 2742),

The amendments were adopted, a majority of the members serving voting therefor.

Rep. Howell moved to amend the bill as follows:

1. Amend page 2, line 2, by striking out all of subdivisions (b) and (c) and relettering the remaining subdivisions. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

Rep. LaSata entered the House Chambers.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 823, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 807, 808, 810a, and 821 (MCL 600.504, 600.807, 600.808, 600.810a, and 600.821), sections 807, 808, and 821 as amended by 2003 PA 40 and sections 504 and 810a as amended by 2002 PA 715.

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

**Roll Call No. 1016**

**Yeas—98**

Accavitti	Gielegem	Meyer	Sheen
Acciavatti	Gillard	Middaugh	Sheltrown
Adamini	Gleason	Minore	Shulman
Amos	Hager	Moolenaar	Smith
Anderson	Hart	Mortimer	Spade
Bieda	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	O'Neil	Stewart
Casperson	Hummel	Palmer	Tabor
Caswell	Hune	Palsrok	Taub
Caul	Hunter	Pappageorge	Tobocman
Cheeks	Jamnick	Pastor	Vagnozzi
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
DeRossett	Kolb	Richardville	Waters
Dillon	Kooiman	Rivet	Wenke
Elkins	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Williams
Farhat	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woronchak
Gaffney	McConico	Shaffer	Zelenko
Garfield	Meisner		

**Nays—8**

Bisbee	Huizenga	Nofs	Van Regenmorter
Drolet	Milosch	Stahl	Woodward

In The Chair: Julian

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

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

The House agreed to the full title.

Rep. Daniels entered the House Chambers.

### Second Reading of Bills

#### Senate Bill No. 1447, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 25a, 25b, 25c, 25d, 25e, 25f, 25g, 25h, and 25i (MCL 552.625a, 552.625b, 552.625c, 552.625d, 552.625e, 552.625f, 552.625g, 552.625h, and 552.625i), sections 25a and 25b as amended and sections 25c, 25d, 25e, 25f, 25g, 25h, and 25i as added by 2002 PA 565.

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

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 5, line 9, after "**3107(1)(a)**" by inserting "**and for expenses under section 3107(1)(c)**".
2. Amend page 18, line 7, after "the" by striking out "bureau of worker's compensation" and inserting "**worker's compensation agency**".
3. Amend page 18, line 15, after "the" by striking out "bureau of worker's compensation" and inserting "**worker's compensation agency**".

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

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

The motion prevailed.

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

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

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Rep. Waters moved that Reps. Rivet and Tobocman be excused temporarily from today's session.

The motion prevailed.

Rep. Palmer moved that Reps. Casperson, DeRoche, DeRossett, Huizenga, Hune, Rick Johnson and Nofs be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1447, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 25a, 25b, 25c, 25d, 25e, 25f, 25g, 25h, and 25i (MCL 552.625a, 552.625b, 552.625c, 552.625d, 552.625e, 552.625f, 552.625g, 552.625h, and 552.625i), sections 25a and 25b as amended and sections 25c, 25d, 25e, 25f, 25g, 25h, and 25i as added by 2002 PA 565.

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

#### Roll Call No. 1017

#### Yeas—98

Accavitti	Garfield	Middaugh	Sheltrown
Acciavatti	Gieleghem	Milosch	Shulman
Adamini	Gillard	Minore	Smith
Amos	Gleason	Moolenaar	Spade
Anderson	Hager	Mortimer	Stahl
Bieda	Hart	Murphy	Stakoe

Bisbee	Hood	Newell	Stallworth
Bradstreet	Hoogendyk	Nitz	Steil
Brandenburg	Hopgood	O'Neil	Stewart
Brown	Howell	Palmer	Tabor
Byrum	Hummel	Palsrok	Taub
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter
Cheeks	Johnson, Ruth	Phillips	Vander Veen
Clack	Julian	Plakas	Voorhees
Condino	Koetje	Pumford	Walker
Daniels	Kolb	Reeves	Ward
Dennis	Kooiman	Richardville	Waters
Drolet	LaJoy	Robertson	Wenke
Ehardt	LaSata	Rocca	Whitmer
Elkins	Law	Sak	Williams
Emmons	Lipsey	Shackleton	Wojno
Farhat	McConico	Shaffer	Woodward
Farrah	Meisner	Sheen	Woronchak
Gaffney	Meyer		

### Nays—0

In The Chair: Julian

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

“An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1017. Had I been present, I would have voted ‘yea’.”

### Second Reading of Bills

#### Senate Bill No. 1448, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” (MCL 552.601 to 552.650) by adding section 24b.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Stahl moved that Rep. Gaffney be excused temporarily from today’s session.  
The motion prevailed.

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

**Senate Bill No. 1448, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” (MCL 552.601 to 552.650) by adding section 24b.

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

**Roll Call No. 1018**

**Yeas—99**

Accavitti	Farrah	Meyer	Sheltrown
Acciavatti	Garfield	Middaugh	Shulman
Adamini	Gielegthem	Milosch	Smith
Amos	Gillard	Moolenaar	Spade
Anderson	Gleason	Mortimer	Stahl
Bieda	Hart	Murphy	Stakoe
Bisbee	Hood	Newell	Stallworth
Brandenburg	Hoogendyk	Nitz	Steil
Brown	Hopgood	Nofs	Stewart
Byrum	Howell	O’Neil	Tabor
Caswell	Hummel	Palmer	Taub
Caul	Hune	Palsrok	Vagnozzi
Cheeks	Hunter	Pappageorge	Van Regenmorter
Clack	Jamnick	Pastor	Vander Veen
Condino	Johnson, Ruth	Phillips	Voorhees
Daniels	Julian	Plakas	Walker
Dennis	Koetje	Pumford	Ward
DeRoche	Kolb	Reeves	Waters
DeRossett	Kooiman	Richardville	Wenke
Dillon	LaJoy	Robertson	Whitmer
Drolet	LaSata	Rocca	Williams
Ehardt	Law	Sak	Wojno
Elkins	Lipsey	Shackleton	Woodward
Emmons	McConico	Shaffer	Woronchak
Farhat	Meisner	Sheen	

**Nays—0**

In The Chair: Julian

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

“An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1449, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 418. The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1449, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 418. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1019

#### Yeas—103

Accavitti	Farrah	Meyer	Sheltrown
Acciavatti	Gaffney	Middaugh	Shulman
Adamini	Garfield	Milosch	Smith
Amos	Gielegem	Minore	Spade
Anderson	Gillard	Moolenaar	Stahl
Bieda	Gleason	Mortimer	Stakoe
Bisbee	Hart	Murphy	Stallworth
Bradstreet	Hood	Newell	Steil
Brandenburg	Hoogendyk	Nitz	Stewart
Brown	Hopgood	Nofs	Tabor
Byrum	Howell	O'Neil	Taub
Caswell	Hummel	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi
Cheeks	Hunter	Pappageorge	Van Regenmorter
Clack	Jamnick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
Daniels	Julian	Plakas	Ward
Dennis	Koetje	Pumford	Waters
DeRoche	Kolb	Reeves	Wenke
DeRossett	Kooiman	Richardville	Whitmer
Dillon	LaJoy	Robertson	Williams
Drolet	LaSata	Rocca	Wojno
Ehardt	Law	Sak	Woodward
Elkins	Lipsey	Shackleton	Woronchak
Emmons	McConico	Shaffer	Zelenko
Farhat	Meisner	Sheen	

#### Nays—0

In The Chair: Julian

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

"An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions

on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1017-1019. Had I been present, I would have voted ‘yea’.”

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1017-1019. Had I been present, I would have voted ‘yea’.”

### Second Reading of Bills

#### Senate Bill No. 1450, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 3705 (MCL 700.3705).

The bill was read a second time.

Rep. Howell moved to amend the bill as follows:

1. Amend page 5, line 15, by striking out “**Notwithstanding section 3808, a**” and inserting “**A**”.

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

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

The motion prevailed.

Rep. Richardville 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. 1450, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 3705 (MCL 700.3705).

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

**Roll Call No. 1020**

**Yeas—106**

Accavitti	Farrah	Meisner	Sheltrown
Acciavatti	Gaffney	Meyer	Shulman
Adamini	Garfield	Middaugh	Smith
Amos	Gielegem	Milosch	Spade
Anderson	Gillard	Minore	Stahl
Bieda	Gleason	Moolenaar	Stakoe
Bisbee	Hart	Murphy	Stallworth
Bradstreet	Hood	Newell	Steil
Brandenburg	Hoogendyk	Nitz	Stewart
Brown	Hopgood	Nofs	Tabor
Byrum	Howell	O’Neil	Taub
Casperson	Huizenga	Palmer	Tobocman
Caswell	Hummel	Palsrok	Vagnozzi
Caul	Hune	Pappageorge	Van Regenmorter
Cheeks	Hunter	Pastor	Vander Veen
Clack	Jamnick	Phillips	Voorhees
Condino	Johnson, Rick	Plakas	Walker
Daniels	Johnson, Ruth	Pumford	Ward
Dennis	Julian	Reeves	Waters
DeRoche	Koetje	Richardville	Wenke
DeRossett	Kolb	Robertson	Whitmer
Dillon	Kooiman	Rocca	Williams
Drolet	LaJoy	Sak	Wojno
Ehardt	LaSata	Shackleton	Woodward
Elkins	Law	Shaffer	Woronchak
Emmons	Lipsey	Sheen	Zelenko
Farhat	McConico		

**Nays—0**

In The Chair: Julian

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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



### Comments and Recommendations

Rep. Kooiman moved that Rule 82 be suspended.

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

Rep. Kooiman moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Spade:

“Thank you, Mr. Speaker. You know, four years ago and two years ago I sat here and listened to the comments of my colleagues who are now gone and I kept thinking that the day that I had to do this was going to be here far too soon. And it sure is. It seems like the last six years have been a dream, and I think that many of my colleagues share the same feelings. I remember sitting at a breakfast one morning a few weeks after we started with Representative Hager, and I remember him saying, ‘I still have to pinch myself.’ And I think I still do. It is truly an honor to represent the people of the 57<sup>th</sup> District—truly an honor to be able to serve the people of the State of Michigan in this beautiful historic Capitol and this Chamber. I have thought many times sitting at my desk about how historic even my desk is, how many debates have echoed through this hall, and how blessed we are to have the opportunity to serve and be a part of that rich tradition. Even in this era of term limits, very few of us ever have the honor of being here and being here for the full six years. If I could just share a few personal thoughts. I was one of the people who was never supposed to be here and was never supposed to stay here once I arrived. There were several strikes against me. One was that, although I had lots of great life experience, I had never been an elected official before; heaven forbid, was a member of the minority party of in our district; and thirdly, many times behind my back—sometimes to my face—people would say how could you ever send someone to Lansing who can’t pick up a print sheet of paper and see what it says. Someone back in the district just commented a couple days ago, that during the campaign in 1998 she was one who called in on the radio and responded to some really insensitive comments about that. She pointed that just because you have another physical disability does not mean your brain is out to lunch. Your brain still works and you can still do the job. I never ran for office for partisan reasons. I truly did not. And I also did not run for office to prove something—to prove that a blind person could do this. I ran because I truly care about the people in my community and the people of the State of Michigan, and I wanted to serve. I wanted to do that from the heart. I have to say, though, that there is satisfaction to be able to prove that now two of us who have visual impairments have been able to serve the people of Michigan. Representative Bob Mahoney—the first—was a real inspiration to me, who served in this Chamber from 1954 through 1972. Many people in Lansing still know Bob, and I am very happy to count Bob and his wife among my friends. He was one who encouraged me tremendously, even though a lot had changed from 1972 until 1998 when I ran for this office. There are so many people I would like to thank. I will never remember them all, I am sure. I do not want anyone to feel left out. But I think one of the lessons I have learned—and I know that all of us realize this if we are serving as Representatives—one of the lessons that my physical impairment has taught me even more, is the value of friendships, the value of our families, and that none of us do this alone. We must surround ourselves with the best people, and I hope I always have. I want very much to thank my wife JoAnn, my parents, my family, my friends, and all the people on both sides at home who have given me such tremendous support. It was a battle to get here, but once I got here, we worked hard every day. And the support in the community has been tremendous. I will be forever grateful. Among the people here that I especially want to thank is Representative Steve Bieda who joined us in ’98 in Adrian, and we made some great memories as we were running for this seat. His help was invaluable as was that of so many other people who were there that year. I want to say that if I can’t come back—since I cannot come back—I am so grateful that the first person who ever talked to me twenty years ago and said that this was a job he thought I should do—my brother—is going to succeed me. He has always been there. I want to say thank you to Linda Kernan who was with us for over four years in the office. Linda is a great friend; she helped us immensely getting started. To Jamie Johnston who joined us after that, and to Bob Kefgen who works with us in our office now—the very best people you could ever ask for. I have always told people here in Lansing that they are my staff, and you cannot have them. I am very fortunate. I want to thank my pal down here on the floor, Toby, who cannot say anything to you today. Toby goes everywhere, and does everything. And I think he is probably more well-known and more popular up here than I am, and he never says a word and never casts a vote. But I know if he could say anything today, he would tell you all thank you for your love and affection and for all those treats you remember him with. We are going to have to come back and get a few more treats. He will not know what to do after this month. And I want to thank my right hand man Mike Clement who has been with me all the way through. Talk about great friends. Not only dedicated staff, but a very loyal friend who really cares, wants to make sure I succeed, and wants to make sure that our district is well represented. Mike has sure more than earned his pay. He’s been here morning and night, made sure I was always where I needed to go and doing what I was supposed to be doing, and I could never, ever, possibly repay him for his dedication and friendship. He is a tremendous person. I know I am forgetting a lot of things

I would like to say. I guess I would just briefly like to mention that, while I did not run for that reason, I really wish that the Legislatures of the future would take time to pay more attention to issues that the disabled in this state face. I have been very warmly received, and I have been accepted as a person, not as a blind person. And that is what should happen. I've never wanted to run around talking about all sorts of issues necessarily related to disabilities, but that has to be a part of it. It is something that is close to me. I want to see other people succeed. Today, seventy to seventy-five percent of all blind people are unemployed. And that is just an area that I know more about than some other areas of disability. It was an honor to work with Representative Gleason and others who have been a part of the new bicameral, bipartisan Disabilities Caucus that we co-chaired and initiated this term. I really hope that more of you remaining will join that caucus next term and that you can pay attention to and work on issues that are important to those who have disabilities. Many times, being in a minority, they do not have much voice. That being said, I have a little poem to read to you in leaving today. I am not going to sing it. However, if you think of Julie Andrews and the Sound of Music, you will be able to put the tune with what I am going to read to you. What I want to share with you is some of the memories. And I am not going to take all the credit for this. Mike and I collaborated. These are among the many things we will remember. Some of you will recognize all of it. Some of you won't recognize many things. But these are the things I would like to conclude with today.

### My Favorite Things

Working together  
In sorrow and joy.  
Debates that rivaled  
The Hatfields and McCoys.  
Counting the votes—all the red and the greens.  
These were a few of my favorite things.

Cousin Bob's counsel  
And the humor from Mickey.  
Bills that were easy,  
And bills that were icky.  
Forming a strategy—some of it sly.  
Questioning wisdom with floor shouts of 'Why?'

Judy would shush us  
When we got too noisy.  
I'm sure they could hear us  
Way out in Boise.  
First bill explanations; the food that they bring.  
Those were among my favorite things!

All those floor speeches—  
Most good; a few shoddy.  
Everything's been said  
But not by everybody.  
Aldo's great jokes and his terrible puns.  
Andi who told us we had too much fun.

Now I speak the truth here.  
You know I can't lie.  
Mr. Speaker, I admire you.  
Especially your tie!  
Your quick-wit rejoinders and good hearted-zings.  
Fondly a part of my favorite things!

Paula had hats;  
A new one each day.  
Temporary excuses  
For those who were away.  
Long-winded speeches gave us bathroom breaks.  
Complex ideas that made our heads ache!

All those receptions—  
Ten in two hours.  
I loved the great view  
Atop the Boji Tower!  
David said pictures were worth a thousand words.  
That explanation is still for the birds!

Four caucus leaders—  
Each with a vision.  
Two governors, two speakers.  
Sometimes indecision.  
This bill is dead. No it's back on our plate.  
We gotta pass it; the hour grows late.

'House will come to order,'  
The words of Clerk Gary.  
Always the gentleman.  
Never contrary.  
Working all hours, long after we left.  
He and his staff were really the best.

Clerks of committees  
And LSB writers.  
Policy staff  
Pulling all-nighters.  
Taken for granted too much of the time.  
Leaving you out would sure be a crime.

Pancakes at midnight  
Were really quite nifty.  
The clock that would stop  
At precisely 11:50.  
George who would vanish like Casper the Ghost.  
These are the things I'll remember the most.

'Motions and Resolutions'  
Are words we long to hear.  
Another day over;  
Let's get out of here.  
Policy changes—some small and some big.  
Did we pass good stuff, or just perfume the pig?

Four in the morning,  
And session's still going.  
Some Reps are sleeping,  
And Toby is snoring.  
Not what I expected when I signed up for this.  
One of the few things I really won't miss.

Sgt. Jim had a V-8  
As he stood by the door.  
Sgts. Susie and Don  
Also friends ever more.  
A.T. and Keith—always filled with passion.  
The day that I 'quit' left folks shaken and ashen.

Ed stole the gavel  
With grave repercussions  
What happens in caucus  
Gets no discussion.  
John walked in first, saying, 'Sorry I'm late.'  
This job is the greatest; there is no debate.

John and his carols  
 Brought us together.  
 Forgetting our differences  
 Made us all better.  
 Jerry said Toby was his only friend.  
 Gee, how I hate for this journey to end.

Martha's great laugh  
 That filled us with joy.  
 Reps who became parents—  
 Some with girls, some with boys.  
 Each of you've touched me in your own special way.  
 To tell you the truth, I wish I could stay!

The days we were quiet.  
 The days we were raucous.  
 Dale, Paul, Steve, and I—  
 The conservative caucus.  
 If your name's not been mentioned, don't think it a slight.  
 Serving with you all has been my delight.

My six years in office—  
 Each one I've enjoyed.  
 But now I'm about to  
 Become unemployed.  
 There's much more to tell you, but I'm out of time.  
 So buy my new book—twenty-four ninety-nine!

And so my dear friends  
 As I prepare to depart.  
 I'll carry your memory  
 Deep in my heart.  
 A new door opens; new adventure draws nigh.  
 It's been a great ride. God Bless. And good-bye.”

Rep. Bradstreet:

“Mr. Speaker, Colleagues,

I am not sure I am up to this. Making speeches at an emotional time is not my specialty. I would like to start, as many of you have, by thanking the people of the 105<sup>th</sup> District for giving me this assignment and placing their trust in me. What an honor that is - as so many of you have already said. I would also like to especially thank three very special people - first my two staff members who I have long bragged about and told everyone who would listen, that I have without question the best staff in the House. Brian Mills and Craig Ryan, Thank you both so much for your diligence, your decency, your patience, and for being so good at what you do and allowing me to get all the credit. Thank you Brian and Craig.

The other special person I would like to thank is that indispensable Energy and Technology Committee policy person, Teri Quimby. Your hard work and knowledge on many very technical issues made the assignment manageable, enjoyable, and, even to some degree understandable. Thank you so much Terri for all that you do and for all that you are.

I would like to say that speaking on this occasion is a rather unique experience. This is perhaps the first time in my memory that I have gotten up to speak where people are actually paying attention. That is one of the unique qualities of this chamber that I will miss - the controlled chaos. Many times, and most of you can relate to this, I have had guests who accompany me onto the House floor, and as they observe the non-stop activity in the midst of people rising to speak, the very first thing they ask is this, 'Is anybody paying attention?' So this speech, for me, is truly a unique experience.

Like many of you, I came here with a 'to do' list. It wasn't necessarily a written list, but it was a long list. In fact, I came here with more than just a list - I came with a bit of a chip on my shoulder, perhaps even an air of moral superiority, with the thought, 'I ran for this office because I wanted to *do* something, not because I wanted to *be* something.' And I perceived that many less honorable colleagues were running because they wanted to *be* something. I couldn't have been more wrong.

After my first term, of the twenty or so items on my 'to do' list I had only lined out one of them. I still had about nineteen to go, and I discovered how unrealistic it was for someone with a list to get any satisfaction in this place. I learned that everyone had a list of some sort, and that if success was to be measured by how much of my list got accomplished, I was not going to be all that successful. It was then that I realized that success here has more to do with what you *are* than what you *do*.

Now over the past six years several members have done some things that we will probably all remember. Perhaps the most memorable was the one Charlie recounted yesterday, that being Rocky's stern prohibition of the use of that word that starts with an 'H.' Those of us who have been here six years will smile every time we think of that. And who could ever forget Julie Dennis' prayer - or some of you will remember Laura Baird's friendly wave - and there were those kind, affectionate words exchanged in caucus between the speaker and Bob Gosselin.

There have been some truly unforgettable moments. We have all shared some great memories. But as memorable as some of these incidents may have been, most of us will never be remembered around here for what we did - for the most part we will be remembered for what we were.

Jack Minore mentioned yesterday that he will be remembered for having a jar of peanuts on his desk. Yes, some members will remember Jack for that, but I think most of us will remember him for more than that. Now probably no two representatives could be more philosophically different than Jack Minore and myself. I could probably count on one hand the times Jack and I voted alike on any controversial issue. But if I should chance to meet up with Jack five years down the road, I will remember Jack as a worthy opponent in debate, but more than that, I will remember Jack for his integrity, his kind and friendly demeanor, the fact that Jack always treated friends and opponents alike with respect. And I have learned that in this place, that is what is truly important.

On our own side of the aisle over the years we have had a number of heated discussions in caucus, and guys like Doug Hart and Mike Pumford and Charlie LaSata were often on the other side of some often heated discussions. But because I have had the unique privilege of getting to know these wonderful people, I will always remember them for their altruistic motives, their persistence in sticking with what they believe, and their unquestioned honesty and integrity.

Now over the six years I have had the privilege of moving many bills through the process, and I have had many public acts signed into law. Quite frankly I couldn't honestly tell you how many because that is not as important to me as it seemed when I got here. I came here with a list of things to *do* and I ended up replacing it with a list of things to *be*. I learned that what you do is in the hands of everyone else, but what you are is all up to you.

And I determined early on that what I wanted to be is this: I wanted to be a man of integrity - a man of fairness - a man who believed in something and engaged whole-heartedly in the debate, but never lost patience or respect for those who viewed things differently. I wanted to be remembered as a man of faith - a man who loved the Lord Jesus Christ, lived a life consistent with that faith, and who loved other members in this chamber as a result of that faith. I am not perfect, and I probably have not always been 100% consistent in demonstrating that love, but I can say this in all sincerity, 'I have never, ever, even for a moment harbored any personal animosity toward any member in this chamber.' (A brief urge to kill sometimes perhaps, but never any personal animosity.)

So many of you I would like to recognize by name as colleagues that I greatly admire. I don't have the time today to read 110 names. Steve Ehardt said it best a few days ago. This is an honorable work, and in this time of cynicism there is far more honor and integrity here than the public often gives us credit for.

I will always be thankful to God for selecting me to serve Him in this capacity. And I will thank Him all my remaining days for the honor to serve Him along side of each one of you. God bless you all."

Rep: Voorhees:

"Twas the last days of session, and all through the house  
Every rep is a stirring, some in pants some in blouse  
In the winter of 99, men and women took oath  
With Perricone as our leader, republican numbers in growth.

Ruth Johnson had Emily, the Allen's welcomed Meredith E  
We built houses for Habitat, and Rep Ramps were in need  
Said goodbye to Janet K, a fine woman and friend  
Committed to the unborn, hard working hand she did lend.

Our students were nestled all snug in their beds  
While visions of college tuition filled them with dread  
With a wink and a smile, he laid his finger aside his nose  
Engler passed the Michigan Merit despite those who opposed.

Eating cookies in late sessions, some weight we did gain  
 Detroit schools took our energy, and our fund balance started to drain  
 Shulman in Apropos, Patterson leading the floor  
 A new session we started, speaker Johnson in store.

Concealed weapons permitted, charter schools were enhanced  
 Chair Gosselin got ousted, casinos did their dance  
 Some bills we accomplished, some bills they did die  
 Before we could imagine, it was time for sine-dy.

But what to my wondering eyes should appear  
 House members to the Senate, like 20 I hear  
 As a woman, she was first, a right jolly old Gov'  
 I cried Ay! when I saw her, she's from the land of above.

With a reelected speaker, so lively and quick  
 We knew in a moment it must be Saint Rick!  
 With a nod of his head and a snap of his gavel  
 The democrats cried OH NO! and began to unravel.

And up from the ranks there arose such a clatter  
 I flew to my seat to see what was the matter  
 Racino, Racino shouted the rep from the chair  
 Our farmers, our farmers they live in despair.

Shooting doves now permitted, the gamin's gone wild  
 A caucus meeting was called, to keep the opponents in file  
 Like Santa a calling his reindeer to perform  
 Caucus Chair called the members, true to her form:

'On Bisbee and Bradstreet, Wornachak and Caul  
 Sue Tabor, Marc Shulman, we're standing so tall  
 De Rossett and Howell, both Hager and Hart  
 On Koetje, on Julian, on Pappageorge and Ehardt  
 Now Pumford, Richardville, Shackleton, Middaugh  
 On Mortimer, LaSata, both Johnsons that's all'.

We say Thanks to the clerks, the sergeants and staff  
 To the lobbyists and news media, now that is a laugh  
 Six years is but a moment, when friends have been near  
 I adore you, I'll miss you, maybe we'll return here some year.

Like in caucus I tell you, you're the greatest by far  
 In my book each one of you, is a bright shining star  
 Let me exclaim as I drive out of sight:  
 Merry Christmas to all and keep up the good fight!"

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

**House Bill No. 4817, entitled**

A bill to amend 1846 RS 65, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," by amending sections 41 and 44 (MCL 565.41 and 565.44).

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

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

**House Bill No. 4969, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57k (MCL 400.57k), as added by 1998 PA 361.

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

The House agreed to the full title.

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

**House Bill No. 5116, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5474b. The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5194, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9307 (MCL 324.9307), as amended by 2002 PA 107.

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

The House agreed to the full title.

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

**House Bill No. 5724, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 52a. The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 5725, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 13 (MCL 207.563).

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

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

**House Bill No. 5726, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5 (MCL 211.905), as amended by 2002 PA 244.

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

The House agreed to the full title.

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

**House Bill No. 6020, entitled**

A bill to designate Police Officers Memorial Day in the state of Michigan.

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

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

**House Bill No. 6077, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 11, 32b, 44, and 44a (MCL 125.1411, 125.1432b, 125.1444, and 125.1444a), section 11 as amended by 1996 PA 475 and sections 32b, 44, and 44a as amended by 2000 PA 257.

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

The House agreed to the full title.

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

**House Bill No. 6103, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20908 (MCL 333.20908), as amended by 2000 PA 375.

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

The House agreed to the full title.

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

**House Bill No. 6284, entitled**

A bill to amend 2003 PA 215, entitled "Credit union act," by amending sections 102, 104, 201, 203, 212, 214, 217, 234, 301, 302, 304, 307, 331, 341, 342, 345, 352, 357, 371, 373, 374, 382, 386, 401, 402, 407, and 423 (MCL 490.102, 490.104, 490.201, 490.203, 490.212, 490.214, 490.217, 490.234, 490.301, 490.302, 490.304, 490.307, 490.331, 490.341, 490.342, 490.345, 490.352, 490.357, 490.371, 490.373, 490.374, 490.382, 490.386, 490.401, 490.402, 490.407, and 490.423).

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

The House agreed to the full title.

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

**House Bill No. 5055, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9112 (MCL 324.9112), as amended by 2000 PA 504.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 9112 (MCL 324.9112), as amended by 2004 PA 325.

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

**House Bill No. 5372, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 31 (MCL 552.631), as amended by 2002 PA 567.

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 45, the bill was laid over one day.

**House Bill No. 5373, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165), as amended by 1999 PA 152.

The Senate has amended the bill as follows:

1. Amend page 2, line 21, after "**warrant**" by striking out "**shall**" and inserting "**may**".

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

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

**House Bill No. 5417, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by repealing section 14i (MCL 400.14i).

The Senate has amended the bill as follows:

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

"Sec. 14i. Section 57f(3)(c), (e), and (f) and section 57g(4), (5), (6), and (7) shall not apply after December 31, 2004 2005."



The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 14i (MCL 400.14i), as added by 2001 PA 280.

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

#### **House Bill No. 5551, entitled**

A bill to amend 1953 PA 189, entitled "An act to provide for the taxation of lessees and users of tax-exempt property," by amending section 2 (MCL 211.182).

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

#### **House Bill No. 5833, entitled**

A bill to amend 1941 PA 174, entitled "An act to authorize the establishment and the maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; and to repeal acts and parts of acts inconsistent with the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 555.101, 555.102, 555.103, 555.104, 555.105, 555.106, 555.107, 555.108, 555.109, 555.110, 555.111, 555.112, and 555.113), section 1 as amended by 1984 PA 101 and section 9 as amended by 1986 PA 23, and by adding sections 4a and 5a.

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

The Senate has passed the bill as substituted (S-2) by 2/3 vote and ordered that it be given immediate effect.

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

#### **House Bill No. 5870, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 301, 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43901, 43902, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, 64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 78503, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104, and 83106 (MCL 324.301, 324.502, 324.503, 324.1604, 324.1609, 324.1902, 324.12115, 324.40114, 324.40119, 324.41711, 324.42506, 324.42712, 324.43504, 324.43546, 324.43553, 324.43556, 324.43557, 324.43701, 324.43702, 324.43703, 324.43901, 324.43902, 324.43903, 324.44104, 324.44105, 324.44501, 324.44511, 324.44518, 324.45705, 324.45907, 324.47303, 324.47332, 324.48737, 324.48740, 324.64108, 324.71101, 324.71106, 324.71108, 324.74101, 324.74108, 324.74114, 324.74122, 324.78101, 324.78105, 324.78110, 324.78111, 324.78115, 324.78503, 324.79114, 324.80104, 324.80115, 324.80118, 324.80119, 324.81101, 324.81110, 324.81117, 324.81119, 324.81130, 324.81147, 324.82101, 324.82102a, 324.82106, 324.82109, 324.82110, 324.82111, 324.82118, 324.83101, 324.83103, 324.83104, and 324.83106), section 502 as amended by 2002 PA 148, section 503 as amended by 1998 PA 419, sections 1604 and 1609 as added by 1995 PA 60, section 1902 as amended by 2002 PA 52, sections 40114, 40119, 41711, 42712, 43504, 43557, 43901, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, and 64108 as added by 1995 PA 57, section 42506 as amended by 2002 PA 356, sections 43546, 43553, and 43556 as amended by 1996 PA 585, sections 43701, 43702, and 43703 as amended by 2001 PA 50, section 43902 as amended by 2002 PA 55, sections 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78105, 78111, 78503, 79114,

80118, 80119, 81110, 81119, 82102a, and 82111 as added by 1995 PA 58, section 78101 as amended by 1998 PA 210, sections 78110 and 78115 as amended by 2003 PA 19, section 80104 as amended by 1997 PA 102, section 80115 as amended by 2003 PA 292, sections 81101, 81117, and 81130 as amended by 2003 PA 111, section 81147 as amended by 1996 PA 175, sections 82101, 82106, and 82109 as amended by 2003 PA 230, section 82110 as amended by 2001 PA 16, section 82118 as amended by 2001 PA 15, and sections 83101, 83103, 83104, and 83106 as added by 1998 PA 418, and by amending the headings to parts 437, 439, and 711 and by adding part 20; and to repeal acts and parts of acts.

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 301, 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43901, 43902, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, 64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 78503, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104, and 83106 (MCL 324.301, 324.502, 324.503, 324.1604, 324.1609, 324.1902, 324.12115, 324.40114, 324.40119, 324.41711, 324.42506, 324.42712, 324.43504, 324.43546, 324.43553, 324.43556, 324.43557, 324.43701, 324.43702, 324.43703, 324.43901, 324.43902, 324.43903, 324.44104, 324.44105, 324.44501, 324.44511, 324.44518, 324.45705, 324.45907, 324.47303, 324.47332, 324.48737, 324.48740, 324.64108, 324.71101, 324.71106, 324.71108, 324.74101, 324.74108, 324.74114, 324.74122, 324.78101, 324.78105, 324.78110, 324.78111, 324.78115, 324.78503, 324.79114, 324.80104, 324.80115, 324.80118, 324.80119, 324.81101, 324.81110, 324.81117, 324.81119, 324.81130, 324.81147, 324.82101, 324.82102a, 324.82106, 324.82109, 324.82110, 324.82111, 324.82118, 324.83101, 324.83103, 324.83104, and 324.83106), section 502 as amended by 2002 PA 148, section 503 as amended by 1998 PA 419, sections 1604 and 1609 as added by 1995 PA 60, section 1902 as amended by 2002 PA 52, sections 40114, 40119, 41711, 42712, 43504, 43557, 43901, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, and 64108 as added by 1995 PA 57, section 42506 as amended by 2002 PA 356, sections 43546, 43553, and 43556 as amended by 1996 PA 585, sections 43701, 43702, and 43703 as amended by 2001 PA 50, section 43902 as amended by 2002 PA 55, sections 71101, 71106, 71108, 74108, 74114, 74122, 78105, 78111, 78503, 79114, 80118, 80119, 81110, 81119, 82102a, and 82111 as added by 1995 PA 58, section 74101 as amended by 2004 PA 392, section 78101 as amended by 1998 PA 210, sections 78110 and 78115 as amended by 2003 PA 19, section 80104 as amended by 1997 PA 102, section 80115 as amended by 2003 PA 292, sections 81101, 81117, and 81130 as amended by 2003 PA 111, section 81147 as amended by 1996 PA 175, sections 82101, 82106, and 82109 as amended by 2003 PA 230, section 82110 as amended by 2001 PA 16, section 82118 as amended by 2001 PA 15, and sections 83101, 83103, 83104, and 83106 as added by 1998 PA 418, and by amending the headings to parts 437, 439, and 711 and by adding part 20; and to repeal acts and parts of acts.

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

#### **House Bill No. 6036, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2000 PA 309.

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 45, the bill was laid over one day.

#### **House Bill No. 6046, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 1999 PA 245.

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 45, the bill was laid over one day.

**House Bill No. 6085, entitled**

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending section 12 (MCL 791.512), as amended by 1989 PA 4.

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 45, the bill was laid over one day.

**House Bill No. 6102, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20910 (MCL 333.20910), as amended by 2004 PA 200.

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 45, the bill was laid over one day.

**House Bill No. 6104, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20917a.

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 45, the bill was laid over one day.

**House Bill No. 6164, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," (MCL 125.581 to 125.600) by adding section 4g.

The Senate has amended the bill as follows:

1. Amend page 2, following line 10, by inserting:

**"(6) A rezoning under this section shall be consistent with the city or village master plan."**

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

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

**House Bill No. 6166, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by adding section 16i.

The Senate has amended the bill as follows:

1. Amend page 2, following line 10, by inserting:

**"(6) A rezoning under this section shall be consistent with the county master plan."**

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

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

**House Bill No. 6206, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 16i.

The Senate has amended the bill as follows:

1. Amend page 2, following line 10, by inserting:

**"(6) A rezoning under this section shall be consistent with the township master plan."**

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

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

**House Bill No. 6295, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 222 (MCL 560.222) and by adding section 222a.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

### Comments and Recommendations

Rep. Kooiman moved that Rule 82 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Kooiman moved that the following remarks be printed in the Journal.  
The motion prevailed.

Rep. Woronchak:

“Thank you, Mr. Speaker and House colleagues. Please settle back and get comfortable. Since I was very young, it has been my goal to openly weep in front of 100 elected officials from around the state. Today I may very well climb that mountain.

First, a few individual thank-yous. Thank you to the people of Dearborn who trusted me with this most awesome responsibility. I’d like to thank my staff, Monica Ware and Cana Garrison, and also Dale Hull, who was my legislative aide for my first two terms. I’d like to thank my wife Vivian for putting up with the time away from home and the strain of the campaigns.

I’d like to thank the members of the news media who sit in this chamber with us – what they do is vital to our democracy. I was a journalist for nearly 25 years and still feel a connection with the reporters; and they were always kind to me when I would wander up to the press table for a little conversation.

Thanks to John Perry and Jeff Behrendt in Republican communications for their help over these six years. Speaker Rick Johnson, I thank you for your friendship, and what you did to help me make a difference for thousands of Dearborn schoolchildren. And I’d like to thank John Llewellyn – Representative Llewellyn – for his mentoring, especially in my first term.

I came into this House nearly six years ago as a vulnerable member of the Republican caucus, from a district not often represented by a Republican. There were about a dozen of us with targets on our backs as we headed toward that first re-election in 2000, when reapportionment was in the balance. We were always watching our backs, trading off bad votes, and we shared a common bond that will forever link me to Randy, Larry, Scott, Clark, Sandy, Lauren and Landslide Jim.

I’ll never forget one session in my first term, when I wound up stuck as the deciding vote on a particularly tough issue. I knew I had to make that vote but I didn’t want to. We were at 55 and I hadn’t gone up yet. It was the middle of the night, and Speaker Perricone and State Treasurer Mark Murray were huddled over me, urging me to press the green button. The Democratic caucus had moved to the center aisle, all eyes were on me, they were actually heckling me. It was absolutely surreal. I made the vote and heard some Democrats chant, ‘one term, one term’.

Well, I went on to win my second term, and then, in 2002, I was the only Representative in the state who was unopposed for re-election. That had never happened before in my district, and in a marginally Democratic district, for a Republican to go unopposed was truly amazing.

Certainly, there were some lucky circumstances that helped me go unopposed. But it wasn’t luck alone, and, for returning members, I’d like to share some simple advice related to the part of it that wasn’t luck: Take care of your constituents, and vote your district. When it comes time to make tough votes in the coming session, remember that you’re the only one who can press that button. It’s not your Speaker’s vote, or your Governor’s, or your caucus’, or any lobbyist’s or contributor’s. It’s yours, and it’s only yours because of your constituents. Take care of your constituents and vote your district.

It’s hard to avoid being redundant when you’re among the last to make these farewell remarks. Much of what I am feeling has already been said. Some have said this is the best job they’ve ever had, and I agree. I’ve never had such a tremendous experience in my life. I have been a part of shaping public policy, helped my neighbors with their problems, and I’ve gotten to know people from around the state, from Sault Ste. Marie to Leroy to St. Joseph to Algonac and from a variety of professions from pharmacist to funeral director to tree farmer.

Most have spoken of the relationships they’ve made here and how much they mean to them. Again, I agree. I’ll never forget any of you, or any who have left after my previous terms. This experience we’ve shared has created a bond that can’t be broken. And there are many here for whom I have a genuine, strong affection.

One thing that has been inferred but not outright spoken is the sadness we’re feeling. I can’t imagine that I’m the only one. How can you leave the most wondrous experience of your life, be forced to leave it, and not be sad about it? And, more directly, how can you be forced to leave people that you care about and not feel sadness?

I will miss you all and I will miss this place. And I’m sad.

I have one more thank-you to make as I conclude. I thank all of you, my colleagues. You have enriched my life. I have learned from you. You made me a better representative. Knowing you has made me a better person.

I wish all of you good health, success and much happiness. God bless you all.”

Rep. Pumford:

“Six years ago, I left a profession that I really loved, a profession where I knew I was making a difference. I came to Lansing so I could make an even bigger difference. There have been days that I have questioned the wisdom of that decision, but overall I do believe that we all do make a major difference.

It has always been a humbling honor being a State Representative. It has been a challenge and sometimes it has even been a pleasure.

Much of what I would like to say has already been said, but I must acknowledge a few individuals.

First, I must acknowledge my wife, Mary and my family and close friends.

This is a family profession! Family support and understanding was always there for me. It made no difference how I voted or how much time my position took from them – they were always there for me.

I must also thank my loyal, hard working staff – Pam Atkins, you made me a better servant of the people. You were even willing to give up your parking spot that took you twenty-five years to earn! I knew so little about the workings of Lansing when I arrived, I must have been a real challenge for you. You are, and will always be, very special to the Pumford Family! I owe you so much.

Molly and Stephanie – every office should be like ours – we have great fun doing our business, I will miss both of you.

My writer Elizabeth – I know it’s been a challenge, but you’ve done the best you could, with what you had to work with.

Mitch Bean – you and House Fiscal, especially Mary Ann, Laurie, Marilyn and Kirk, you have been great teachers, and for that, I thank you.

Gary Randall and staff, L.S.B., Sergeant of Arms, Capitol and Administrative staff, media and lobbying corp. – I thank you all for your professionalism and kindness.

I have often compared being a member of the Michigan Legislature to being a member of a small elite university. For six years the 110 of us have lived, eaten, worked, laughed and even cried together. We have developed life-long relationships and life long memories. We are a legislative family. To each of my current and past legislative brothers and sisters, I say thank you. You and the wonderfully vast experiences you have shared with me have made me a much more informed citizen and individual. In short, because of you and your influences, I leave Lansing a better person than the person that arrived here, six short years ago.

The individual relationships I will cherish are far too many to mention, but I must mention a few, especially those of you who gave me strength, through your wisdom and guidance.

My past and current seatmates, as well as my almost seatmates, Dave Mead, Senator Ron Jelinek, Doug Hart, Gary Wronchak, Lauren Hager and Mary Ann Middaugh – I will miss your consultation.

My tennis partner, Steve Ehardt – I will never forget our 6:00 a.m. tennis matches, you are a wise and honorable man, and a pretty fair tennis player.

To my moderate leaning buddies and my institutional integrity partners, Charlie LaSata, John Papageorge, C.P. Phillips and Jim Plakas, it has been an honor and privilege having you on my side during many battles.

Lastly, I must mention my Appropriations Committee members, Sandy Caul, Scott Shackleton, Gretchen Whitmer, Rich Brown, John Stewart, Triette Reeves and many others – you are all hardworking individuals, who have been willing to look for the workable solution, thank you for your patience.

To those of you I have not individually mentioned – I apologize. I do respect, and will miss, each and every one of you.

My biggest disappointment in my short tenure, has been the partisanship. I can only hope that those of you who will be returning can change this.

I truly believe that when we enter this chamber, we should not enter as Republicans or Democrats, we should enter as State Representatives, with good policy as our goal. The true statesman or stateswoman will forget the politics. The true statesman or stateswoman will do the people’s business out in the open. And the true stateswoman and statesman will honor the integrity of the institution.

It has been a humbling honor and privilege, serving with all of you while serving the citizens of Michigan.

Remember – you, my legislative brothers and sisters, will always have a friend in Newaygo.”

Rep. Mortimer:

“Thank you Mr. Speaker and the Members and to our guest. I have short notes today so you don’t have to worry I’ll keep it short. We have had some wonderful speakers, some wonderful sentiments from our Members. Joanne, one thing I promise is that I won’t be as flowery in my prose as I sometimes am in Caucus, so you won’t have to gavel me down while we have these comments today. I simply wanted to remind members to be true to ourselves true to our institution true to the people who have sent us here. It is often easy to become encumbered with the trappings of the office and the belief that we have somehow instilled upon ourselves that which is the office. The truth be told we are hear for a period of time to act in the best interest of the people of our state and to hold the office in fiduciary source for those who will come behind us. It is interesting when we discuss the rights the wrongs the things we do, the things we have

done. I think it is important that all of us realize and accept that when we accept the office that there will be times that we will have to make decisions that we will not always be happy with. That there will be times that we will have to accept very difficult situations. And I dare say that it is important to all of us to do what is right in our thought and in our hearts. For many of us it is often difficult to take a position on an issue. It is difficult sometimes with our constituents, it is difficult sometimes with our leadership, and it is difficult sometimes with the Executive Branch. It has been for me sometimes over the years. And I dare say, for many here. But take a moment to think about how difficult it was for the 56 people who were the original signers for the Declaration of Independence. We sometimes worried that we might lose a Committee Chairmanship, not get a bill passed, not be given permission to go on a trip or to use the privileges of our office. Those folks of course worried about losing their lands, their families, their neighbors. If I can leave one thing with each of you here today that is to be willing to take the risk. To do what is necessary regardless of the consequences that may come to you. Now I think there have been two people in this term that have been shining examples of doing just that. Representative Bill O'Neill, when you stood and took a position that you knew would not garner you well with the leadership and the Governor's office. Yet your intestinal fortitude is to be applauded and for all of us to use as an example. The other example I would use is Representative Steve Ehardt. Many of us remember the impassioned discussion he gave of Blue Cross Blue Shield issue regardless of where we stand on that issue we know that his heart and his thoughts were there and doing it for the right reasons. I too would like to say thank you to the people who were most generous in helping me. Denise Owens, my Chief of Staff, has been with me for 12 years now as an Elected Official. Six in the County Clerk's office and six years here. She worked with me in the private sector before that. So if there is someone that should be sainted for putting up with me that is clearly the person. Tammy Sayles as well in my office. I'd be remiss, of course not to thank my son David and my daughter Madeline. And of course, my wife, Representative-elect Leslie Mortimer. Mr. Speaker I'd like to thank the members the staff the guests and the citizens of the State of Michigan. This is a wonderful opportunity. Thank you."

Rep. Sheltroun:

"Mr. Speaker:

While it is impossible to say thank you to all those who have made the last six years the most memorable time of my life, there are some who strongly deserved to be mentioned.

I will begin by first thanking my family. Without them, I would not be here today. My wife, Lori, gave me more support than anyone will ever know. She literally kept the home fire going while I was gone from home so much. My parents, Ed and Helen Sheltroun, put up more signs and knocked more doors during my campaigns than anyone in northern Michigan. This is even more impressive given that my father is 89 years old and my mother is 84 years old.

A state representative is only as good as his staff. I was fortunate to have Brady Schickinger as my chief-of-staff for the entire six years I served in the House. He is a master of the art of public relations and the best constituent staffer in Lansing. I also owe a special thank you to my former staff members John Lindley and Andrew Kramer who have left for better opportunities and to Maggie Striz for doing an outstanding job in my office this past year.

A special thank you goes out to the voters of the 'old' and 'new' 103<sup>rd</sup> House District. The counties of Arenac, Gladwin, Iosco, Missaukee, Ogemaw, and Roscommon have given me the great honor of representing them.

I offer thanks to Clerk Gary Randall, Majority Floor Leaders Bruce Patterson and Randy Richardville and the Speakers Pro Tem for treating this Democratic fairly from day one. I would also like to extend a personal thank you to the Capitol tour guides, pages and sergeants who made my job much easier.

As the House Democratic leaders, Mike Hanley, Kwame Kilpatrick, Buzz Thomas, and Dianne Byrum, have listened and responded to the needs of the 103<sup>rd</sup> House District. I appreciate their leadership and wisdom in moving the House Democratic Caucus into the new century. Thanks is also owed to the House Democratic Policy staff, especially Arnold Weinfeld and Mark Salogar, who went beyond the call of duty to provide the necessary information on every issue that came before the Legislature.

A very special thank you is owed to Governor Granholm for her dynamic leadership in an extremely difficult time.

Finally, good luck to my brother, Joel, who will replace me as state representative. He and I are so fortunate for we have achieved our parents' dream to become state legislators. Our father ran unsuccessfully for the State House in 1956. However, the lessons he learned in the campaign were instrumental in my 1998, 2000, and 2002 election victories and Joel victory this November.

The expression 'Thank You' is such a short phrase but one that is sometimes overlooked and unspoken. It is a phrase that can turn a bad day into a good one and give one a sense of purpose. Although the phrase is short, the meaning is genuine from the heart and never ending.

Thank you."

## Second Reading of Bills

### Senate Bill No. 478, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

The bill was read a second time.

Rep. Richardville moved to amend the bill as follows:

1. Amend page 3, line 5, by striking out all of enacting section 2 and inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

(a) House Bill No. 4868.

(b) House Bill No. 4880.”

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

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

The motion prevailed.

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

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

\_\_\_\_\_

Rep. Waters moved that Reps. Elkins, Hood and Reeves be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 478, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

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

**Roll Call No. 1021**

**Yeas—63**

Accavitti	Farrah	Lipsey	Shackleton
Acciavatti	Gaffney	McConico	Sheltrown
Adamini	Gillard	Meisner	Smith
Amos	Gleason	Meyer	Spade
Anderson	Hart	Milosch	Stallworth
Bieda	Hopgood	Minore	Tabor
Brown	Howell	Murphy	Tobocman
Byrum	Hummel	Nitz	Walker
Casperson	Hune	O’Neil	Waters
Cheeks	Hunter	Pappageorge	Wenke
Clack	Jamnick	Phillips	Whitmer
Condino	Julian	Plakas	Williams
Daniels	Koetje	Richardville	Wojno
DeRossett	Kolb	Rivet	Woronchak
Dillon	Kooiman	Robertson	Zelenko
Farhat	Law	Sak	

**Nays—42**

Bisbee	Gielegem	Nofs	Stakoe
Bradstreet	Hager	Palmer	Steil
Brandenburg	Hoogendyk	Palsrok	Stewart
Caswell	Huizenga	Pastor	Taub
Caul	Johnson, Ruth	Pumford	Vagnozzi
Dennis	LaJoy	Rocca	Van Regenmorter
DeRoche	LaSata	Shaffer	Vander Veen

Drolet  
Ehardt  
Emmons  
Garfield

Middaugh  
Moolenaar  
Mortimer  
Newell

Sheen  
Shulman  
Stahl

Voorhees  
Ward  
Woodward

In The Chair: Julian

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### **House Bill No. 4880, entitled**

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a state specific tax upon certain manufactured housing property; to provide for the disposition of the state specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 2, with substitute (S-3) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 7, see House Journal No. 89, p. 2689.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Richardville moved to amend the Senate substitute (S-3) as follows:

1. Amend page 6, following line 3, by inserting:

“Enacting section 3. This act does not take effect unless House Bill No. 4868 of the 92nd Legislature is enacted into law.”.

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

Rep. Richardville moved to reconsider the vote by which the House adopted the amendment.

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

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

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Richardville moved to amend the Senate substitute (S-3) as follows:

1. Amend page 6, following line 3, by inserting:

“Enacting section 3. This act does not take effect unless Senate Bill No. 478 and House Bill No. 4868 of the 92nd Legislature are enacted into law.”.

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-3) made to the bill by the Senate,

Rep. Richardville moved to amend the Senate substitute (S-3) as follows:

1. Amend page 4, line 21, by striking out all of subdivision (a) and relettering the remaining subdivisions.
2. Amend page 4, line 23, after “(b)” by striking out “Thirty-five” and inserting “Forty”.



3. Amend page 4, line 26, after “(c)” by striking out “Twenty” and inserting “Fifteen”.
4. Amend page 5, line 6, after “(d)” by striking out “Fifteen” and inserting “Thirty”.
5. Amend page 5, line 8, after “located” by striking out the balance of the sentence and inserting a period.
6. Amend page 5, line 11, after “(e)” by striking out “Twenty” and inserting “Fifteen”.

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

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

**Roll Call No. 1022**

**Yeas—32**

Accavitti	Gaffney	McConico	Shackleton
Adamini	Howell	Milosch	Smith
Byrum	Hune	Minore	Stallworth
Cheeks	Hunter	Murphy	Tabor
Clack	Jamnick	Nitz	Tobocman
Daniels	Julian	O’Neil	Whitmer
DeRossett	Law	Phillips	Williams
Farrah	Lipsey	Rivet	Woronchak

**Nays—73**

Acciavatti	Garfield	Meyer	Sheen
Amos	Gielegem	Middaugh	Sheltrown
Anderson	Gillard	Moolenaar	Shulman
Bieda	Gleason	Mortimer	Spade
Bisbee	Hager	Newell	Stahl
Bradstreet	Hart	Nofs	Stakoe
Brandenburg	Hood	Palmer	Steil
Brown	Hoogendyk	Palsrok	Stewart
Casperson	Hopgood	Pappageorge	Taub
Caswell	Huizenga	Pastor	Vagnozzi
Caul	Hummel	Plakas	Van Regenmorter
Condino	Johnson, Ruth	Pumford	Vander Veen
Dennis	Koetje	Reeves	Walker
DeRoche	Kolb	Richardville	Ward
Dillon	Kooiman	Robertson	Waters
Drolet	LaJoy	Rocca	Wenke
Ehardt	LaSata	Sak	Woodward
Emmons	Meisner	Shaffer	Zelenko
Farhat			

In The Chair: Julian

The Senate requested the return of

**House Bill No. 6166, entitled**

A bill to amend 1943 PA 183, entitled “County zoning act,” (MCL 125.201 to 125.240) by adding section 16i.

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

The motion prevailed.

The Senate requested the return of

**House Bill No. 6164, entitled**

A bill to amend 1921 PA 207, entitled “City and village zoning act,” (MCL 125.581 to 125.600) by adding section 4g.

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

The motion prevailed.

The Senate requested the return of  
**House Bill No. 6206, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 16i.

Rep. Richardville moved that the request of the Senate be granted.  
The motion prevailed.

The Speaker laid before the House  
**House Bill No. 4868, entitled**

A bill to establish and protect the rights of manufactured home park tenants; to prescribe the powers and duties of certain agencies and departments; and to provide remedies and penalties.

(The bill was received from the Senate on December 7, with substitute (S-5) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2744.)

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

Rep. Richardville moved to amend the Senate substitute (S-5) as follows:

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

"Enacting section 1. This act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

(a) Senate Bill No. 478.

(b) House Bill No. 4880."

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-5) made to the bill by the Senate,

The substitute (S-5), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1023

### Yeas—93

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hart	Moolenaar	Spade
Anderson	Hood	Mortimer	Stahl
Bieda	Hopgood	Murphy	Stakoe
Brown	Howell	Newell	Stallworth
Byrum	Huizenga	Nitz	Stewart
Casperson	Hummel	Nofs	Tabor
Caswell	Hune	O'Neil	Tobocman
Caul	Hunter	Palsrok	Vagnozzi
Cheeks	Jamnick	Pappageorge	Van Regenmorter
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Daniels	Julian	Pumford	Walker
Dennis	Kolb	Reeves	Ward
DeRossett	Kooiman	Richardville	Waters
Dillon	LaSata	Rivet	Whitmer
Ehardt	Law	Robertson	Williams
Emmons	Lipsey	Rocca	Wojno
Farhat	McConico	Sak	Woodward
Farrah	Meisner	Shackleton	Woronchak
Gaffney	Meyer	Shaffer	Zelenko
Gielegem			

### Nays—15

Bisbee	Drolet	LaJoy	Steil
Bradstreet	Garfield	Palmer	Taub

Brandenburg  
DeRoche

Hoogendyk  
Koetje

Pastor  
Sheen

Wenke

In The Chair: Julian

The Senate returned, in accordance with the request of the House

**Senate Bill No. 1193, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2003 PA 236 and section 17b as amended by 2000 PA 297.

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

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

**Third Reading of Bills**

**Senate Bill No. 1193, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2004 PA 351 and section 17b as amended by 2000 PA 297.

(The bill was passed on December 7, see House Journal No. 90, p. 2712.)

The question being on the passage of the bill,

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

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

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

Rep. Minore moved to amend the bill as follows:

1. Amend page 11, line 18, after “the” by striking out “2004-2005” and inserting “2005-2006”.

2. Amend page 11, line 23, after “the” by striking out “2004-2005” and inserting “2005-2006”.

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

The motion was seconded and the amendments were not adopted, a majority of the members serving not 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. 1024**

**Yeas—102**

Accavitti	Farhat	Meisner	Sheen
Acciavatti	Farrah	Meyer	Sheltrown
Adamini	Gaffney	Middaugh	Shulman
Amos	Garfield	Milosch	Smith
Anderson	Gielegem	Minore	Spade
Bieda	Gillard	Moolenaar	Stahl
Bisbee	Gleason	Murphy	Stakoe
Bradstreet	Hood	Newell	Stallworth
Brandenburg	Hoogendyk	Nitz	Steil
Brown	Hopgood	Nofs	Stewart
Byrum	Howell	O’Neil	Tabor
Casperson	Hummel	Palmer	Taub
Caswell	Hune	Palsrok	Tobocman
Caul	Hunter	Pappageorge	Vagnozzi
Cheeks	Jamnick	Pastor	Voorhees
Clack	Johnson, Rick	Phillips	Walker
Condino	Johnson, Ruth	Plakas	Ward

Daniels	Julian	Pumford	Waters
Dennis	Koetje	Reeves	Wenke
DeRoche	Kolb	Richardville	Whitmer
DeRossett	Kooiman	Rivet	Williams
Dillon	LaJoy	Robertson	Wojno
Drolet	LaSata	Rocca	Woodward
Ehardt	Law	Shackleton	Woronchak
Elkins	Lipsey	Shaffer	Zelenko
Emmons	McConico		

### Nays—7

Hager	Huizenga	Sak	Vander Veen
Hart	Mortimer	Van Regenmorter	

In The Chair: Julian

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

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

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 11 and 51a (MCL 388.1611 and 388.1651a), as amended by 2004 PA 351.

The motion prevailed.

The House agreed to the title as amended.

### Second Reading of Bills

#### Senate Bill No. 1153, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278, 1279, 1279a, 1279c, 1279d, and 1525 (MCL 380.1278, 380.1279, 380.1279a, 380.1279c, 380.1279d, and 380.1525), sections 1278 and 1279c as amended by 1995 PA 289, sections 1279 and 1279d as amended by 2004 PA 399, section 1279a as added by 2002 PA 592, and section 1525 as amended by 2003 PA 202, and by adding section 1279g.

The bill was read a second time.

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

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

Rep. Nofs moved to amend the bill as follows:

1. Amend page 5, line 8, after “mathematics,” by striking out the balance of the line through “**in**” on line 11 and inserting “science, and”.

2. Amend page 11, line 9, after “mathematics,” by inserting “social studies,”.

3. Amend page 11, line 10, after “science.” by striking out the balance of the line through “**studies.**” on line 12.

4. Amend page 13, line 8, after “science,” by inserting “social studies,”.

5. Amend page 17, line 26, by striking out all of subdivision (c) and inserting:

“(c) **A social studies component.**”.

6. Amend page 22, line 26, after “**science,**” by inserting “**social studies,**”.

7. Amend page 23, line 6, after “**science,**” by inserting “**social studies,**”.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 8, following line 18, by inserting:

**“(iv) Are factually accurate. If the superintendent of public instruction determines that a question is not factually accurate and should be removed from an assessment instrument, the state board and the superintendent of public instruction shall ensure that the question is removed from the assessment instrument.”.**

2. Amend page 19, following line 15, by inserting:

**“(iv) Is factually accurate. If the superintendent of public instruction determines that a question is not factually accurate and should be removed from an assessment instrument, the state board and the superintendent of public instruction shall ensure that the question is removed from the assessment instrument.”.**

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

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

The motion prevailed.

Rep. Richardville 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. 1153, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278, 1279, 1279a, 1279c, 1279d, and 1525 (MCL 380.1278, 380.1279, 380.1279a, 380.1279c, 380.1279d, and 380.1525), sections 1278 and 1279c as amended by 1995 PA 289, sections 1279 and 1279d as amended by 2004 PA 399, section 1279a as added by 2002 PA 592, and section 1525 as amended by 2003 PA 202, and by adding section 1279g.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 1154, entitled**

A bill to amend 1996 PA 160, entitled “Postsecondary enrollment options act,” by amending sections 3 and 9 (MCL 388.513 and 388.519), section 3 as amended by 1997 PA 178, and by adding section 3a.

The bill was read a second time.

Rep. Palmer 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. Nofs moved to amend the bill as follows:

1. Amend page 5, line 5, after “**reading,**” by inserting “**social studies,**”.

2. Amend page 6, line 1, after “**reading,**” by inserting “**social studies,**”.

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

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

The motion prevailed.

Rep. Richardville 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. 1154, entitled**

A bill to amend 1996 PA 160, entitled “Postsecondary enrollment options act,” by amending sections 3 and 9 (MCL 388.513 and 388.519), section 3 as amended by 1997 PA 178, and by adding section 3a.

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

**Roll Call No. 1025****Yeas—98**

Accavitti	Gielegem	Meyer	Sheltrown
Acciavatti	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Bieda	Hager	Moolenaar	Spade
Bradstreet	Hart	Mortimer	Stahl
Brandenburg	Hood	Murphy	Stallworth
Brown	Hoogendyk	Newell	Steil
Byrum	Hopgood	Nitz	Tabor
Casperson	Howell	Nofs	Taub
Caswell	Huizenga	O'Neil	Tobocman
Cheeks	Hummel	Palmer	Vagnozzi
Clack	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Phillips	Vander Veen
Daniels	Jamnack	Plakas	Voorhees
Dennis	Johnson, Rick	Pumford	Walker
DeRoche	Johnson, Ruth	Reeves	Ward
DeRossett	Julian	Richardville	Waters
Dillon	Koetje	Rivet	Wenke
Drolet	Kolb	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Williams
Elkins	LaSata	Sak	Wojno
Farhat	Law	Shackleton	Woodward
Farrah	Lipsey	Shaffer	Woronchak
Gaffney	McConico	Sheen	Zelenko
Garfield	Meisner		

**Nays—11**

Adamini	Caul	Minore	Stakoe
Anderson	Emmons	Pappageorge	Stewart
Bisbee	LaJoy	Pastor	

In The Chair: Julian

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

“An act to establish a postsecondary enrollment options program for certain students enrolled in Michigan schools; to prescribe certain duties of public schools; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

**Second Reading of Bills****Senate Bill No. 1155, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 31a, 98b, and 104a (MCL 388.1631a, 388.1698b, and 388.1704a), as amended by 2004 PA 351, and by adding section 104b.

The bill was read a second time.

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

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

Rep. Nofs moved to amend the bill as follows:

1. Amend page 21, line 8, after “mathematics,” by striking out the balance of the line through “**in**” on line 10 and inserting “science, and”.

2. Amend page 26, line 27, after “mathematics,” by inserting “social studies.”.

3. Amend page 27, line 2, by striking out all of line 2 through “**studies.**” on line 3.

4. Amend page 29, line 16, after “science,” by inserting “social studies.”.

5. Amend page 32, line 5, by striking out all of subdivision (c) and inserting:

“(c) **A social studies component.**”.

6. Amend page 36, line 26, after “**science,**” by inserting “**social studies,**”.

7. Amend page 37, line 6, after “**science,**” by inserting “**social studies,**”.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 24, following line 17, by inserting:

“(iv) **Are factually accurate. If the superintendent determines that a question is not factually accurate and should be removed from an assessment instrument, the state board and the superintendent shall ensure that the question is removed from the assessment instrument.**”.

2. Amend page 33, following line 21, by inserting:

“(iv) **Is factually accurate. If the superintendent determines that a question is not factually accurate and should be removed from an assessment instrument, the state board and the superintendent shall ensure that the question is removed from the assessment instrument.**”.

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

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

The motion prevailed.

Rep. Richardville 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. 1155, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 31a, 98b, and 104a (MCL 388.1631a, 388.1698b, and 388.1704a), as amended by 2004 PA 351, and by adding section 104b.

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

#### Roll Call No. 1026

#### Yeas—98

Accavitti	Garfield	Meyer	Sheltrown
Acciavatti	Gielegem	Milosch	Shulman
Amos	Gillard	Moolenaar	Smith
Bieda	Gleason	Mortimer	Spade
Bradstreet	Hager	Murphy	Stahl
Brandenburg	Hart	Newell	Stallworth
Brown	Hood	Nitz	Steil
Byrum	Hoogendyk	Nofs	Tabor
Casperson	Hopgood	O’Neil	Taub
Caswell	Howell	Palmer	Tobocman
Cheeks	Huizenga	Palsrok	Vagnozzi
Clack	Hummel	Pappageorge	Van Regenmorter
Condino	Hune	Phillips	Vander Veen
Daniels	Hunter	Plakas	Voorhees
Dennis	Jamnick	Pumford	Walker
DeRoche	Johnson, Rick	Reeves	Ward

DeRossett	Julian	Richardville	Waters
Dillon	Koetje	Rivet	Wenke
Drolet	Kolb	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Williams
Elkins	LaSata	Sak	Wojno
Emmons	Law	Shackleton	Woodward
Farhat	Lipsey	Shaffer	Woronchak
Farrah	McConico	Sheen	Zelenko
Gaffney	Meisner		

### Nays—11

Adamini	Caul	Middaugh	Stakoe
Anderson	Johnson, Ruth	Minore	Stewart
Bisbee	LaJoy	Pastor	

In The Chair: Julian

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

“An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1156, entitled

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 2, 6, 7, 8, and 9 (MCL 390.1452, 390.1456, 390.1457, 390.1458, and 390.1459), sections 2 and 7 as amended by 2002 PA 736, section 6 as amended by 2002 PA 537, and section 8 as amended by 2004 PA 69, and by adding sections 7a and 7b.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1156, entitled

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 2, 6, 7, 8, and 9 (MCL 390.1452, 390.1456, 390.1457, 390.1458, and 390.1459), sections 2 and 7 as amended by 2002 PA 736, section 6 as amended by 2002 PA 537, and section 8 as amended by 2004 PA 69, and by adding sections 7a and 7b.

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



**Roll Call No. 1027****Yeas—102**

Accavitti	Garfield	Meyer	Sheltrown
Acciavatti	Gielegem	Middaugh	Shulman
Amos	Gillard	Milosch	Smith
Bieda	Gleason	Moolenaar	Spade
Bradstreet	Hager	Mortimer	Stahl
Brandenburg	Hart	Murphy	Stakoe
Brown	Hood	Newell	Stallworth
Byrum	Hoogendyk	Nitz	Steil
Casperson	Hopgood	Nofs	Tabor
Caswell	Howell	O'Neil	Taub
Caul	Huizenga	Palmer	Tobocman
Cheeks	Hummel	Palsrok	Vagnozzi
Clack	Hune	Pappageorge	Van Regenmorter
Condino	Hunter	Phillips	Vander Veen
Daniels	Jamnick	Plakas	Voorhees
Dennis	Johnson, Rick	Pumford	Walker
DeRoche	Johnson, Ruth	Reeves	Ward
DeRossett	Julian	Richardville	Waters
Dillon	Koetje	Rivet	Wenke
Drolet	Kolb	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Williams
Elkins	LaSata	Sak	Wojno
Emmons	Law	Shackleton	Woodward
Farhat	Lipsey	Shaffer	Woronchak
Farrah	McConico	Sheen	Zelenko
Gaffney	Meisner		

**Nays—7**

Adamini	Bisbee	Minore	Stewart
Anderson	LaJoy	Pastor	

In The Chair: Julian

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

“An act to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship board and prescribe the powers and duties of the board; and to provide for the Michigan merit award scholarship program,”

The House agreed to the full title.

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

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

**Second Reading of Bills****Senate Bill No. 1157, entitled**

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending sections 3 and 9 (MCL 388.1903 and 388.1909) and by adding section 3a.

The bill was read a second time.

Rep. Palmer 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. Nofs moved to amend the bill as follows:

1. Amend page 4, line 20, after “**reading,**” by inserting “**social studies,**”.

2. Amend page 5, line 15, after “**reading,**” by inserting “**social studies,**”.

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

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

The motion prevailed.

Rep. Richardville 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. 1157, entitled**

A bill to amend 2000 PA 258, entitled “Career and technical preparation act,” by amending sections 3 and 9 (MCL 388.1903 and 388.1909) and by adding section 3a.

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

#### **Roll Call No. 1028**

#### **Yeas—101**

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltrown
Amos	Gillard	Middaugh	Shulman
Bieda	Gleason	Milosch	Smith
Bradstreet	Hager	Moolenaar	Spade
Brandenburg	Hart	Mortimer	Stahl
Brown	Hood	Murphy	Stallworth
Byrum	Hoogendyk	Newell	Steil
Casperson	Hopgood	Nitz	Tabor
Caswell	Howell	Nofs	Taub
Caul	Huizenga	O’Neil	Tobocman
Cheeks	Hummel	Palmer	Vagnozzi
Clack	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Pappageorge	Vander Veen
Daniels	Jamnack	Phillips	Voorhees
Dennis	Johnson, Rick	Plakas	Walker
DeRoche	Johnson, Ruth	Pumford	Ward
DeRossett	Julian	Reeves	Waters
Dillon	Koetje	Richardville	Wenke
Drolet	Kolb	Rivet	Whitmer
Ehardt	Kooiman	Robertson	Williams
Elkins	LaSata	Rocca	Wojno
Emmons	Law	Sak	Woodward
Farhat	Lipsey	Shackleton	Woronchak
Farrah	McConico	Shaffer	Zelenko
Gaffney			

#### **Nays—8**

Adamini	Bisbee	Minore	Stakoe
Anderson	LaJoy	Pastor	Stewart

In The Chair: Julian

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

“An act to establish career and technical preparation enrollment options for certain students enrolled in Michigan schools; to prescribe certain duties of public schools and certain postsecondary institutions; to prescribe certain powers and duties of certain state departments, officials, and agencies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

The House returned to the consideration of

**Senate Bill No. 1153, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1278, 1279, 1279a, 1279c, 1279d, and 1525 (MCL 380.1278, 380.1279, 380.1279a, 380.1279c, 380.1279d, and 380.1525), sections 1278 and 1279c as amended by 1995 PA 289, sections 1279 and 1279d as amended by 2004 PA 399, section 1279a as added by 2002 PA 592, and section 1525 as amended by 2003 PA 202, and by adding section 1279g.

(The bill was considered earlier today, see today’s Journal p. 2786.)

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. 1029**

**Yeas—99**

Accavitti	Gielegem	Meyer	Sheltrown
Acciavatti	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Bieda	Hager	Moolenaar	Spade
Bradstreet	Hart	Mortimer	Stahl
Brandenburg	Hood	Murphy	Stallworth
Brown	Hoogendyk	Newell	Steil
Byrum	Hopgood	Nitz	Tabor
Casperson	Howell	Nofs	Taub
Caswell	Huizenga	O’Neil	Tobocman
Cheeks	Hummel	Palmer	Vagnozzi
Clack	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Pappageorge	Vander Veen
Daniels	Jamnick	Phillips	Voorhees
Dennis	Johnson, Rick	Plakas	Walker
DeRoche	Johnson, Ruth	Pumford	Ward
DeRossett	Julian	Reeves	Waters
Dillon	Koetje	Richardville	Wenke
Drolet	Kolb	Rivet	Whitmer
Ehardt	Kooiman	Robertson	Williams
Elkins	LaSata	Rocca	Wojno
Farhat	Law	Sak	Woodward
Farrah	Lipsey	Shackleton	Woronchak
Gaffney	McConico	Shaffer	Zelenko
Garfield	Meisner	Sheen	

**Nays—10**

Adamini	Caul	Minore	Stakoe
Anderson	Emmons	Pastor	Stewart
Bisbee	LaJoy		

In The Chair: Julian

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Richardville 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 Select Committees

The Speaker laid before the House the conference report relative to

#### Senate Bill No. 1105, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 2153 and 2154 (MCL 324.2153 and 324.2154), as added by 1995 PA 60.

(The conference report was received from the Senate on December 7, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 90, p. 2739.)

The question being on the adoption of the conference report,

The conference report was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1030

#### Yeas—84

Accavitti	Emmons	Meisner	Shackleton
Acciavatti	Farhat	Meyer	Shaffer
Adamini	Farrah	Minore	Sheltrown
Amos	Gaffney	Moolenaar	Shulman
Anderson	Gielegem	Murphy	Smith
Bieda	Gleason	Newell	Spade
Bisbee	Hager	Nitz	Stallworth
Brandenburg	Hood	Nofs	Tabor
Brown	Hopgood	O’Neil	Tobocman
Byrum	Howell	Palsrok	Vagnozzi
Casperson	Huizenga	Pappageorge	Van Regenmorter
Caul	Hunter	Pastor	Vander Veen
Cheeks	Jamnick	Phillips	Walker
Clack	Johnson, Rick	Plakas	Waters
Condino	Julian	Pumford	Wenke
Daniels	Koetje	Reeves	Whitmer
Dennis	Kolb	Richardville	Williams
DeRossett	LaSata	Rivet	Wojno
Dillon	Law	Robertson	Woodward
Ehardt	Lipsey	Rocca	Woronchak
Elkins	McConico	Sak	Zelenko

#### Nays—25

Bradstreet	Hoogendyk	Middaugh	Stakoe
Caswell	Hummel	Milosch	Steil

DeRoche	Hune	Mortimer	Stewart
Drolet	Johnson, Ruth	Palmer	Taub
Garfield	Kooiman	Sheen	Voorhees
Gillard	LaJoy	Stahl	Ward
Hart			

In The Chair: Julian

### Second Reading of Bills

#### Senate Bill No. 1329, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82119 (MCL 324.82119), as added by 1995 PA 58.

The bill was read a second time.

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

The motion prevailed.

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

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

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Rep. Minore moved that Reps. Daniels and Plakas be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1329, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82119 (MCL 324.82119), as added by 1995 PA 58.

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

#### Roll Call No. 1031

Yeas—60

Acciavatti	Gaffney	Meyer	Shackleton
Amos	Garfield	Middaugh	Shaffer
Bisbee	Gleason	Milosch	Sheen
Bradstreet	Hager	Moolenaar	Stahl
Brandenburg	Hart	Mortimer	Stakoe
Casperson	Hoogendyk	Newell	Steil
Caswell	Howell	Nitz	Tabor
Caul	Huizenga	Palmer	Taub
DeRoche	Hummel	Palsrok	Van Regenmorter
DeRossett	Hune	Pappageorge	Vander Veen
Drolet	Johnson, Rick	Pastor	Voorhees
Ehardt	Johnson, Ruth	Pumford	Walker
Elkins	Koetje	Richardville	Ward
Emmons	Kooiman	Robertson	Wenke
Farhat	LaJoy	Rocca	Woronchak

**Nays—45**

Accavitti	Gillard	Meisner	Spade
Adamini	Hood	Minore	Stallworth
Anderson	Hopgood	Murphy	Stewart
Bieda	Hunter	Nofs	Tobocman
Brown	Jamnick	O'Neil	Vagnozzi
Byrum	Julian	Phillips	Waters
Cheeks	Kolb	Reeves	Whitmer
Clack	LaSata	Sak	Williams
Condino	Law	Sheltrown	Wojno
Dennis	Lipsey	Shulman	Woodward
Dillon	McConico	Smith	Zelenko
Gielegem			

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1031. Had I been present, I would have voted ‘yea’.”

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Rep. Law, 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:

I voted no on SB1329 because this legislation does not provide for a comprehensive statewide plan for safe interaction between snowmobiles and the motoring public. Statewide consideration of legislation must prevail, not just portions of Michigan.”

### **Second Reading of Bills**

#### **Senate Bill No. 1383, entitled**

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees,

drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 10 (MCL 224.10), as amended by 2003 PA 137.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 354.**

A resolution for the Honorable Dale Sheltroun.

Whereas, It is a privilege to extend the congratulations of the House of Representatives to the Honorable Dale Sheltroun as he completes six productive years with this legislative body. Representative Sheltroun's talent, experience, and hard work have contributed to the development of sound policies in Michigan. His commitment to the legislative process has benefited the citizens of the One Hundred Third district; and

Whereas, Representative Sheltroun earned his bachelor's of science degree in agriculture from Michigan State University and operated a dairy and beef farm for ten years. He also served for more than two decades as an elected official at the township and county levels. His service outside of government includes work with several boards and commissions, including the State Commission on Aging, the AuSable Community Health Board, and numerous groups promoting sportsmanship; and

Whereas, Representative Sheltroun's knowledge and experience in the areas of farming and hunting and fishing have been invaluable resources during his tenure, especially through his work as a member of the Agriculture and Resource Management and Conservation and Outdoor Recreation committees. He has been especially active in the effort to control the Bovine TB epidemic. His work in the House has been deeply appreciated by his colleague and staff members; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Dale Sheltroun for his notable contributions to this legislative body and to our entire state; and be it further

Resolved, That copies of this resolution be transmitted to Representative Sheltroun as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 355.**

A resolution for the Honorable Mike Pumford.

Whereas, The members of this legislative body deem it a great honor to congratulate and commend our friend Mike Pumford at the end of his distinguished career as a member of the Michigan House of Representatives. His vision, experience, and leadership have been great assets to his colleagues and constituents over the past six years; and

Whereas, A graduate of Central Michigan University with bachelor's and master's degrees, Mike Pumford earned his credentials in preparation for a career in education. He further developed his background by earning a master's endorsement in counseling from Michigan State University. As an educator, counselor, and coach at Newaygo High School for twenty-seven years, he imparted a wealth of knowledge and wisdom to countless youths. He has also held positions as Newaygo County Youth Employment Director and assistant basketball coach at Ferris State University; and

Whereas, As a member of the House Appropriations Committee, Representative Pumford has chaired subcommittees handling the budgets for corrections and agriculture. The impact of his legislative efforts has strengthened our state in many ways; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute and gratitude to the Honorable Mike Pumford for his notable contributions to this legislative body and to this entire state; and be it further

Resolved, That copies of this resolution be transmitted to Representative Pumford as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,  
Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 356.**

A resolution for the Honorable Joanne Voorhees.

Whereas, With deep appreciation for her efforts over the past six years and admiration for the manner in which her unselfishness has touched others in her community throughout her life, we are proud to commend Joanne Voorhees as she completes her service to this legislative body. With her dedication and commitment, she has played an integral role in addressing the state's need during a period of challenge for our state and nation; and

Whereas, A native of Grand Rapids, Joanne Voorhees has spent her entire adult life devoted to children. In addition to the love she has shared with her own family, she has been tireless in reaching out to others through her faith, community organizations, and civic efforts to help children in the courts and juvenile justice system; and

Whereas, Joanne Voorhees was first elected to the Michigan House of Representatives in 1998. She followed the Voorhees tradition of service to her Kent County district started by her husband, Harold. Much to the delight of her colleagues, she also carried on the welcoming tradition of sharing cookies with members and staff. Most importantly, she has continued her diligent work on behalf of children and families. Representative Voorhees, who also served as Majority Caucus Chair, distinguished herself as the chair of the House Higher Education Committee and as a three-term member of the House Education Committee; now, therefore, be it

Resolved by the House of Representatives, That we extend this expression of our thanks and best wishes to the Honorable Joanne Voorhees in grateful acknowledgment of her excellent service to this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Representative Voorhees as evidence of our respect.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 357.**

A resolution for the Honorable David Woodward.

Whereas, It is with great pleasure and gratitude that the Michigan House of Representatives offers its congratulations to David Woodward for his dedicated public service on behalf of his Oakland County district and for the entire state. His contributions to the legislative process have earned him the admiration and gratitude of his colleagues and staff; and

Whereas, David Woodward earned his bachelors degree in mathematics from Wayne State University. His election and service as the President of the Wayne State University Student Council were fortuitous for the state of Michigan as it inspired his sense of service and civic-mindedness. He was elected to the Michigan House of Representatives in 1998, and he brought with him a desire to help others, especially consumers and the underprivileged of society; and

Whereas, Representative Woodward served admirably on the Energy and Technology Committee during all three of his terms, and as the Minority Vice-Chair of the Veterans Affairs and Homeland Security Committee during the Ninety-second Legislature. During his tenure in the Michigan House of Representatives, David Woodward sponsored key consumer advocate legislation which demonstrated his goal to better the lives of Michigan citizens; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of sincere thanks and appreciation to commend the Honorable David Woodward for his notable service in the Michigan House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to Representative Woodward as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.



The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 358.**

A resolution for the Honorable Gary Woronchak.

Whereas, The members of this body are honored to commend and thank Representative Gary Woronchak for his dedicated service to the Fifteenth District and the entire state. His leadership in protecting those less able to protect themselves due to age or illness benefits the lives of many in this state; and

Whereas, Gary Woronchak studied at Henry Ford Community College and earned a bachelor's degree from the University of Michigan-Dearborn. He built a 25 year career in journalism working as a reporter and editor for the *Dearborn Press and Guide* and *The Daily Tribune*. He served others in his community through his involvement with the Dearborn Chamber of Commerce, Goodfellows, and Dearborn Homecoming Festival; and

Whereas, In all three of his terms of service as a lawmaker, particularly as chair of the Senior Health, Security and Retirement Committee for the Ninety-second Legislature, Representative Woronchak worked tirelessly to protect children, those who are ill, and the elderly. He could be counted on to stand up for and defend our most vulnerable citizens across the state; now, therefore, be it

Resolved by the House of Representatives, That we extend this expression of our gratitude to the Honorable Gary Woronchak as he draws to a close his service to this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Representative Woronchak as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 359.**

A resolution for the Honorable Ruth Johnson.

Whereas, It is a privilege to extend the congratulations of this legislative body to Representative Ruth Johnson as she completes her service in the House of Representatives. Since her election in 1998, Representative Johnson has been an outspoken leader on issues that impact the lives of citizens across this state, particularly in the areas of government accountability, land use, and education. Her own life experiences contributed to her tireless work ethic, perseverance, and dedication to being a strong voice for children and other vulnerable populations; and

Whereas, Representative Johnson brought to the legislature a wealth of local government experience that includes a decade of service as an Oakland County Commissioner and a member of the Parks and Recreation Commission. This knowledge of local government operations formed the basis of her beliefs that public institutions must be held accountable. Her work in Lansing investigating intermediate school district spending resulted in new provisions that require competitive bidding on construction and remodeling projects, state audits, and other significant reforms; and

Whereas, A key part of Representative Johnson's work as a legislator was her dedication at the committee level. She shared her knowledge and vision of land preservation as the chair of the Land Use and Environment Committee for two legislative sessions and as a member of the Governor's Land Use Leadership Council. Her active participation in the legislative process resulted in a series of changes to land use and zoning laws; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of admiration and thanks to Representative Johnson for her service to the people of this state as a member of the House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to Representative Ruth Johnson as evidence of our admiration and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 360.**

A resolution for the Honorable Joseph L. Rivet.

Whereas, It is with admiration for his consistent efforts to represent the needs and concerns of his district and our state that we salute Representative Rivet as he concludes his service to the Michigan House of Representatives. His belief in our system of government and enthusiasm for representing the concerns of each and every citizen have benefited our state; and

Whereas, Representative Rivet earned an associate's degree from Delta College and bachelor's and master's degrees in business from Michigan State University. Prior to his service, he worked as a legislative aide in Lansing, earned extensive community experience as the Executive Director of the Bay Area Convention and Visitors Bureau, and as the Bangor Township supervisor; and

Whereas, In all of his legislative duties, Representative Rivet focused his attention on ascertaining and understanding the impact of public policies on the daily lives of the citizens of this state. As the minority vice-chair of the Commerce Committee and chair of the Sub-Committee on Economic Development during the Ninety-second Legislature, Representative Rivet devoted considerable energy, thought, and action to preserving and gaining new opportunities for economic development in communities across the state. His earnest attention to these concerns benefited the citizens and communities of his Bay County district and beyond; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of admiration and thanks to the Honorable Joseph L. Rivet for his service to the people of this state as a member of this legislative body; and be it further

Resolved, That copies of this resolution be transmitted to Representative Rivet as evidence of our admiration and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 361.**

A resolution for the Honorable Ken Bradstreet.

Whereas, It is with great admiration for his six years of dedicated and tireless work on behalf of the people of the One Hundred Fifth District that the members of the Michigan House of Representatives offer our sincere thanks and gratitude for Ken Bradstreet. His unwavering principles and sincere desire to serve the people of his district and the entire state of Michigan can be held out as the finest example of what it means to be a public servant; and

Whereas, The center point of Ken Bradstreet's life has and will always be his faith, ministry and family. Following his election to the Michigan House in 1998, Bradstreet brought with him his past experiences and insights to Lansing; and

Whereas, Ken Bradstreet admirably served as the Chairman of the House Energy & Technology Committee, a key committee as Michigan faced tremendous challenges as regulated industries such as the telecommunications and electric industries transitioned from regulated to competitive environments. For the past six years, the committee has addressed important energy and telecommunications reform. Bradstreet helped spearhead the monumental movement of regulated industries to a more competitive marketplace in our state. Chairman Bradstreet's critical thinking in regards to complex regulatory and legislative matters is most notably illustrated in his exhaustive work as Chairman of the Anti-trust Subcommittee and the Code of Conduct work-group. His thoughtful and careful review of the issues has been of immeasurable value to our state and his fellow legislators; and

Whereas, Bradstreet's most important legislative accomplishments outside of his leadership on regulatory matters have clearly and steadfastly reflected the same ideals and principles of the man who came to Lansing some six years ago. A man of who has been a voice of morality and Biblical meaning in the Legislature. Bradstreet never wavered in his pursuit to place God first, even in his legislative quests. From his continued sponsorship of the Ten Commandments legislation, to his Intelligent Design Bill, to his most recent Resolution against same-sex domestic partner benefits, Bradstreet has been resolve in the principles that hallmarked his campaign for office in 1998; now, therefore, be it

Resolved by the House of Representative, That we offer this expression of tribute to commend and thank the Honorable Kenneth L. Bradstreet for his notable contributions to this legislative body and to our entire state; and be it further

Resolved, That copies of this resolution be transmitted to Representative Bradstreet as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 362.**

A resolution for the Honorable Sal Rocca.

Whereas, With the completion of the Ninety-second Legislature, Representative Sal Rocca is bringing to a close his long and distinguished tenure of service as a member of the Michigan House of Representatives. We are proud to commend him for his many years of commitment to our state and to the legislative process; and

Whereas, Sal Rocca embodies the American dream. Born in Casalvieri Italy to Onorio and Virginia Rocca, his family came to the United States in search of freedom and opportunity. With a strong work ethic instilled in him by his immigrant parents, he started his own business at age 13. His diverse experiences in business, which include work as a skilled tradesman and many years as a real estate professional, have given him a sense of his community's needs. This has served him well throughout his 11 terms as a lawmaker and in his service on the Macomb County Board of Commissioners from 1995 to 2000; and

Whereas, First elected to the House in 1974, Representative Rocca has witnessed great changes in the challenges facing our state and nation. In the face of these changes, he has devoted himself to his constituents and to Michigan's well-being. Representative Rocca has devoted much of his adult life to the service of others through elective office. Among Representative Rocca's many contributions were the establishment of Michigan's Great Lakes Bottomlands Preserves and the construction of the Vietnam Veterans' Memorial Monument on the grounds of the State Capitol; and

Whereas, Representative Rocca is most proud of his attention to his constituents' needs, working to resolve citizens' problems with state government and always taking the time to speak with schoolchildren visiting the State Capitol building; and

Whereas, Representative Rocca considers it as testimony to the goodness of the American people that someone born in a foreign land can achieve the "American Dream" as a member of the Michigan House of Representatives; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Sal Rocca for his many years of service to his community, this legislative body, and our entire state; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Rocca as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 363.**

A resolution for the Honorable Alma G. Stallworth.

Whereas, It is truly an honor and a privilege to salute Alma G. Stallworth as she brings to a close a long and distinguished career of service within the Michigan House of Representatives. Indeed in the era of term limits, Alma Stallworth's tenure in the House of Representatives is unique in that it has included terms over the course of three decades. She served under the leadership of four governors: William Milliken, James Blanchard, John Engler, and Jennifer Granholm; and five Speakers of the House of Representatives: William Ryan, Gary Owen, Lou Dodak, Curtis Hertel, and Paul Hillemonds; and

Whereas, Alma Stallworth was the first female appointed chair of the House Public Utilities Committee, serving twelve years and forging major changes in state energy and communications policies. This record is more than a reflection of her spirit of public service and dedication, it is a sterling tribute to the respect in which she is held by the people of her district. There could be no finer testimony of her valuable accomplishments; and

Whereas, Alma Stallworth received her master's degree in Education and Health Promotion from Chelsea University in London, England. She is better prepared to serve others, particularly the youth and families within her community. Youth services to neighborhood and civic organizations have derived great benefit from her service. This commitment has been evident in all of her varied roles in the House of Representatives. She is a proven, effective lawmaker; and

Whereas, Alma Stallworth was first elected to the House of Representatives in 1971, interrupting her service after two years to seek a senatorial seat. She returned in 1981, following completion of an elected term as a Wayne County Charter Commissioner, to the House of Representatives. She served seven terms, and came back to serve in the Ninety-Second Legislature in 2003. While serving as chair of the Michigan Legislative Black Caucus, she founded, in 1986, the Black Caucus Foundation of Michigan, a non-profit organization that introduced a Minority Intern Program that served African American Legislators, state departments, and the Governor. The Foundation currently reaches 10,000 students within the Metro Detroit area through its sponsorship of prevention programs that focus on the harmful effect of alcohol, tobacco, and drug use; and

Whereas, Alma Stallworth has served many speakers and has worked with many legislators and staff. One thing that remained consistent over the years is that she has earned a reputation of being a conscientious and effective lawmaker. Her legislation has helped to protect children, consumers, the least fortunate, and the elderly. We can be sure that these talents will long continue to help others; now, therefore, be it

Resolved by the House of Representatives, That the highest accolade of tribute be extended to honor Alma G. Stallworth as she brings to a close her career in the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be presented to the Honorable Alma G. Stallworth as evidence of our best wishes and esteem.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 364.**

A resolution for the Honorable Doug Spade.

Whereas, With gratitude for his many contributions to the legislative process over the past six years, we are proud to commend and thank our colleague Doug Spade as he completes his tenure with the Michigan House of Representatives. His knowledge and energies have earned him the respect of lawmakers and staff on both sides of the aisle and have benefited our state; and

Whereas, Doug Spade came to Lansing following his 1998 election to the House with a wealth of experiences in community life in the Adrian area community. His 25 years interacting with area residents through his radio career gave him a deep appreciation for the issues facing families in Lenawee County. His wide ranging responsibilities as an operations manager for an Adrian radio station, in real estate, in small businesses, and in a host of community and service groups provided him with viewpoints that have been valuable to the work of lawmaking; and

Whereas, Representative Spade has articulated the concerns of his district and contributed to the development of legislation in many policy areas. He has also been diligent through his responsibilities, which have included his work with the Agriculture and Resource Management, Education, Senior Health, Security and Retirement, and Veterans Affairs and Homeland Security Committees. He was instrumental in spearheading an important bi-partisan, bi-cameral Disability Issues Caucus; and

Whereas, Representative Spade is the second blind legislator in Michigan history. His much-loved leader dog, Toby, is the first leader dog to assist a Michigan legislator. Doug Spade knew the importance of maintaining a positive attitude and a sense of humor. His cheerful demeanor and fun-loving good nature was valued by those who worked with him. His April Fool's Day press releases were eagerly anticipated by members and staff alike. His talents and dedication to our state and the process of lawmaking have been greatly appreciated; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Doug Spade for his exemplary service to this legislative body and to our entire state; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Spade as evidence of our gratitude and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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. Gleason, Bieda, Hopgood, Adamini, Anderson, Bradstreet, Brown, Clack, Condino, Dennis, DeRossett, Dillon, Ehardt, Farrah, Garfield, Gielegem, Gillard, Hager, Hoogendyk, Hummel, Jamnick, Koetje, Kooiman, Lipsey, Meyer, Middaugh, Milosch, Minore, Murphy, Nofs, Palmer, Palsrok, Pappageorge, Phillips, Plakas, Richardville, Rivet, Robertson, Rocca, Sak, Shaffer, Sheen, Sheltroun, Shulman, Spade, Stakoe, Tabor, Tobocman, Vagnozzi, Voorhees, Wojno and Zelenko offered the following resolution:

**House Resolution No. 365.**

A resolution recognizing December 16<sup>th</sup>, 2004, as Battle of the Bulge Remembrance Day in the state of Michigan.

Whereas, We commemorate the 60<sup>th</sup> anniversary of the onset of the Battle of the Bulge, which took place in the Ardennes Forest in Belgium and Luxembourg, and we honor those brave souls who fought to save the world from tyranny during those trying times; and

Whereas, Our nation is once again reminded of the hardships and sacrifices made by our servicemen and women during times of conflict. With these constant reminders we become ever more appreciative of those soldiers who served our nation in the past and those who will serve in the future; and

Whereas, World War II was a war in which the core fundamentals of our way of life were at the risk of being destroyed. It was a time when the fate and future of the world was hanging in the balance; and

Whereas, The Battle of the Bulge was a major turning point in the European Theater of World War II, a battle whose outcome was a decisive moment in that war and in the future of the freedom of humanity; and

Whereas, Over 500,000 Americans fought for the freedom of the world during the Battle of the Bulge and over 19,000 Americans made the ultimate sacrifice for our country and our liberties between the dates of December 16<sup>th</sup>, 1944, and January 25<sup>th</sup>, 1945; now, be it, further

Resolved by the House of Representatives, that the members of this legislative body recognize December 16<sup>th</sup>, 2004, as Battle of the Bulge Remembrance Day in the state of Michigan and we remember those who fought for their future generations during that fateful month 60 years ago.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 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.

### Reports of Standing Committees

The Committee on Conservation and Outdoor Recreation, by Rep. Tabor, Chair, reported

#### **Senate Bill No. 926, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40111a (MCL 324.40111a), as added by 1999 PA 66; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Tabor, Milosch, Ehardt, Richardville, Rocca and Nitz

Nays: Reps. Bradstreet, Gillard, Sheltroun and Accavitti

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tabor, Chair, of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, December 8, 2004

Present: Reps. Tabor, Milosch, Bradstreet, Ehardt, Richardville, Rocca, Nitz, Gillard, Sheltroun and Accavitti

Absent: Rep. Farrah

Excused: Rep. Farrah

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

#### **Senate Bill No. 1267, entitled**

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 317 (MCL 484.1317) and by adding section 317a.

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 and laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Bradstreet, Huizenga, Middaugh, Bisbee, Casperson, Garfield, LaJoy, Nitz, Palsrok, Stahl, McConico, Rivet, Hopgood and Murphy

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 8, 2004

Present: Reps. Bradstreet, Huizenga, Middaugh, Bisbee, Casperson, Garfield, LaJoy, Nitz, Palsrok, Stahl, McConico, Rivet, Hopgood and Murphy

Absent: Reps. LaSata, DeRoche, Daniels, Woodward and Stallworth

Excused: Reps. LaSata, DeRoche, Daniels, Woodward and Stallworth

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members on Wednesday, December 8:

**House Bill No. 6368**

#### Introduction of Bills

Reps. Tobocman, Anderson, Kolb, Bieda, Ward, Casperson, Vagnozzi, Drolet and Kooiman introduced

**House Bill No. 6369, entitled**

A bill to regulate political activity; to regulate certain candidates and state officials; to require certain financial statements and reports; to prescribe the powers and duties of certain state and local governmental officers and agencies; to impose fees; to prescribe penalties and civil sanctions; and to provide remedies.

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

By unanimous consent the House returned to the order of

#### Reports of Select Committees

**Senate Bill No. 727, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 2002 PA 9 and section 7b as amended by 1996 PA 19.

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The Conference Report was read as follows:

#### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

**Senate Bill No. 727, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 2002 PA 9 and section 7b as amended by 1996 PA 19.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 2002 PA 9 and section 7b as amended by 1996 PA 19.

#### THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 2. As used in this act:

(a) "Agency" means a legally authorized public or private organization, or governmental unit or official, whether of this state or of another state or country, concerned in the welfare of minor children, including a licensed child placement agency.

(b) "Attorney" means, if appointed to represent a child under this act, an attorney serving as the child's legal advocate in a traditional attorney-client relationship with the child, as governed by the Michigan rules of professional

conduct. An attorney defined under this subdivision owes the same duties of undivided loyalty, confidentiality, and zealous representation of the child's expressed wishes as the attorney would to an adult client.

(c) "Child" means minor child and children. Subject to section 5b of the support and parenting time enforcement act, 1982 PA 295, MCL 552.605b, for purposes of providing support, child includes a child and children who have reached 18 years of age.

**(d) "Grandparent" means a natural or adoptive parent of a child's natural or adoptive parent.**

(e) ~~(d)~~ "Guardian ad litem" means an individual whom the court appoints to assist the court in determining the child's best interests. A guardian ad litem does not need to be an attorney.

(f) ~~(e)~~ "Lawyer-guardian ad litem" means an attorney appointed under section 4. A lawyer-guardian ad litem represents the child, and has the powers and duties, as set forth in section 4.

**(g) "Parent" means the natural or adoptive parent of a child.**

(h) ~~(f)~~ "State disbursement unit" or "SDU" means the entity established in section 6 of the office of child support act, 1971 PA 174, MCL 400.236.

(i) ~~(g)~~ "Third person" means an individual other than a parent.

~~Sec. 7b. (1) Except as provided in this subsection, a grandparent of the child may seek an order for grandparenting time in the manner set forth in this section only if a child custody dispute with respect to that child is pending before the court. If a natural parent of an unmarried child is deceased, a parent of the deceased person may commence an action for grandparenting time. Adoption of the child by a stepparent under chapter X of Act No. 288 of the Public Acts of 1939, being sections 710.21 to 710.70 of the Michigan Compiled Laws, does not terminate the right of a parent of the deceased person to commence an action for grandparenting time.~~

~~(2) As used in this section, "child custody dispute" includes a proceeding in which any of the following occurs:~~

~~(a) The marriage of the child's parents is declared invalid or is dissolved by the court, or a court enters a decree of legal separation with regard to the marriage.~~

~~(b) Legal custody of the child is given to a party other than the child's parent, or the child is placed outside of and does not reside in the home of a parent, excluding any child who has been placed for adoption with other than a stepparent, or whose adoption by other than a stepparent has been legally finalized.~~

~~(1) A child's grandparent may seek a grandparenting time order under 1 or more of the following circumstances:~~

~~(a) An action for divorce, separate maintenance, or annulment involving the child's parents is pending before the court.~~

~~(b) The child's parents are divorced, separated under a judgment of separate maintenance, or have had their marriage annulled.~~

~~(c) The child's parent who is a child of the grandparents is deceased.~~

~~(d) The child's parents have never been married, they are not residing in the same household, and paternity has been established by the completion of an acknowledgment of parentage under the acknowledgment of parentage act, 1996 PA 305, MCL 722.1001 to 722.1013, by an order of filiation entered under the paternity act, 1956 PA 205, MCL 722.711 to 722.730, or by a determination by a court of competent jurisdiction that the individual is the father of the child.~~

~~(e) Except as otherwise provided in subsection (13), legal custody of the child has been given to a person other than the child's parent, or the child is placed outside of and does not reside in the home of a parent.~~

~~(f) In the year preceding the commencement of an action under subsection (3) for grandparenting time, the grandparent provided an established custodial environment for the child as described in section 7, whether or not the grandparent had custody under a court order.~~

~~(2) A court shall not permit a parent of a father who has never been married to the child's mother to seek an order for grandparenting time under this section unless the father has completed an acknowledgment of parentage under the acknowledgment of parentage act, 1996 PA 305, MCL 722.1001 to 722.1013, an order of filiation has been entered under the paternity act, 1956 PA 205, MCL 722.711 to 722.730, or the father has been determined to be the father by a court of competent jurisdiction. The court shall not permit the parent of a putative father to seek an order for grandparenting time unless the putative father has provided substantial and regular support or care in accordance with the putative father's ability to provide the support or care.~~

~~(3) A grandparent seeking a grandparenting time order may shall commence an action for grandparenting time, by complaint or complaint and motion for an order to show cause, in the circuit court in the county in which the grandchild resides. If a child custody dispute is pending, the order shall be sought by motion for an order to show cause. The as follows:~~

~~(a) If the circuit court has continuing jurisdiction over the child, the child's grandparent shall seek a grandparenting time order by filing a motion with the circuit court in the county where the court has continuing jurisdiction.~~

~~(b) If the circuit court does not have continuing jurisdiction over the child, the child's grandparent shall seek a grandparenting time order by filing a complaint in the circuit court for the county where the child resides.~~

**(4) All of the following apply to an action for grandparenting time under subsection (3):**

**(a) The complaint or motion for grandparenting time filed under subsection (3)** shall be accompanied by an affidavit setting forth facts supporting the requested order. The grandparent shall give notice of the filing to each party person who has legal custody of, ~~the grandchild~~ **or an order for parenting time with, the child.** A party having legal custody may file an opposing affidavit. A hearing shall be held by the court on its own motion or if a party ~~so~~ requests **a hearing.** At the hearing, parties submitting affidavits shall be allowed an opportunity to be heard. ~~At the conclusion of the hearing, if~~

**(b) In order to give deference to the decisions of fit parents, it is presumed in a proceeding under this subsection that a fit parent's decision to deny grandparenting time does not create a substantial risk of harm to the child's mental, physical, or emotional health. To rebut the presumption created in this subdivision, a grandparent filing a complaint or motion under this section must prove by a preponderance of the evidence that the parent's decision to deny grandparenting time creates a substantial risk of harm to the child's mental, physical, or emotional health. If the grandparent does not overcome the presumption, the court shall dismiss the complaint or deny the motion.**

**(c) If a court of appellate jurisdiction determines in a final and nonappealable judgment that the burden of proof described in subdivision (b) is unconstitutional, a grandparent filing a complaint or motion under this section must prove by clear and convincing evidence that the parent's decision to deny grandparenting time creates a substantial risk of harm to the child's mental, physical, or emotional health to rebut the presumption created in subdivision (b).**

**(5) If 2 fit parents sign an affidavit stating that they both oppose an order for grandparenting time, the court shall dismiss a complaint or motion seeking an order for grandparenting time filed under subsection (3). This subsection does not apply if 1 of the fit parents is a stepparent who adopted a child under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, and the grandparent seeking the order is the natural or adoptive parent of a parent of the child who is deceased or whose parental rights have been terminated.**

**(6) If the court finds that a grandparent has met the standard for rebutting the presumption described in subsection (4), the court shall consider whether it is in the best interests of the child to enter an order for grandparenting time. If the court finds by a preponderance of the evidence that it is in the best interests of the child to enter a grandparenting time order, the court shall enter an order providing for reasonable grandparenting time of the child by the grandparent by general or specific terms and conditions. ~~If a hearing is not held, the court shall enter a grandparenting time order only upon a finding that grandparenting time is in the best interests of the child. A grandparenting time order shall not be entered for the parents of a putative father unless the father has acknowledged paternity in writing, has been adjudicated to be the father by a court of competent jurisdiction, or has contributed regularly to the support of the child or children. The court shall make a record of the reasons for a denial of a requested grandparenting time order.~~ In determining the best interests of the child under this subsection, the court shall consider all of the following:**

**(a) The love, affection, and other emotional ties existing between the grandparent and the child.**

**(b) The length and quality of the prior relationship between the child and the grandparent, the role performed by the grandparent, and the existing emotional ties of the child to the grandparent.**

**(c) The grandparent's moral fitness.**

**(d) The grandparent's mental and physical health.**

**(e) The child's reasonable preference, if the court considers the child to be of sufficient age to express a preference.**

**(f) The effect on the child of hostility between the grandparent and the parent of the child.**

**(g) The willingness of the grandparent, except in the case of abuse or neglect, to encourage a close relationship between the child and the parent or parents of the child.**

**(h) Any history of physical, emotional, or sexual abuse or neglect of any child by the grandparent.**

**(i) Whether the parent's decision to deny, or lack of an offer of, grandparenting time is related to the child's well-being or is for some other unrelated reason.**

**(j) Any other factor relevant to the physical and psychological well-being of the child.**

**(7) If the court has determined that a grandparent has met the standard for rebutting the presumption described in subsection (4), the court may refer that grandparent's complaint or motion for grandparenting time filed under subsection (3) to domestic relations mediation as provided by supreme court rule. If the complaint or motion is referred to the friend of the court mediation service and no settlement is reached through friend of the court mediation within a reasonable time after the date of referral, the complaint or motion shall be heard by the court as provided in this section.**

**(8) ~~(4)~~ A grandparent may not file more than once every 2 years, absent a showing of good cause, a complaint or motion under subsection (3) seeking a grandparenting time order. If the court finds there is good cause to allow a grandparent to file more than 1 complaint or motion under this section in a 2-year period, the court shall allow the filing and shall consider the complaint or motion. ~~The~~ Upon motion of a person, the court may order reasonable attorney fees to the prevailing party.**



(9) ~~(5)~~ The court shall not enter an order ~~restricting the movement of the grandchild if the restriction~~ **prohibiting an individual who has legal custody of a child from changing the domicile of the child if the prohibition** is ~~solely~~ **primarily** for the purpose of allowing ~~the a~~ grandparent to exercise the rights conferred in a grandparenting time order **entered under this section.**

(10) ~~(6)~~ A grandparenting time order entered ~~in accordance with~~ **under** this section ~~shall not be considered to have created~~ **does not create** parental rights in the ~~person or persons~~ **individual or individuals** to whom grandparenting time rights are granted. The entry of a grandparenting time order ~~shall~~ **does** not prevent a court of competent jurisdiction from acting upon the custody of the child, the parental rights of the child, or the adoption of the child.

(11) ~~(7)~~ ~~The court may enter an order modifying or terminating~~ **A court shall not modify or terminate** a grandparenting time order ~~whenever such a modification or termination is in the best interests of the child~~ **entered under this section unless it finds by a preponderance of the evidence, on the basis of facts that have arisen since entry of the grandparenting time order or were unknown to the court at the time it entered that order, that a change has occurred in the circumstances of the child or his or her custodian and that a modification or termination of the existing order is necessary to avoid creating a substantial risk of harm to the mental, physical, or emotional health of the child. A court modifying or terminating a grandparenting time order under this subsection shall include specific findings of fact in its order in support of its decision.**

(12) The court shall make a record of its analysis and findings under subsections (4), (6), (8), and (11), **including the reasons for granting or denying a requested grandparenting time order.**

(13) **Except as otherwise provided in this subsection, adoption of a child or placement of a child for adoption under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, terminates the right of a grandparent to commence an action for grandparenting time with that child. Adoption of a child by a stepparent under the Michigan adoption code, chapter X of the probate code of 1939, 1939 PA 288, MCL 710.21 to 710.70, does not terminate the right of a grandparent to commence an action for grandparenting time with that child.**

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to amend 1970 PA 91, entitled "An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 2002 PA 9 and section 7b as amended by 1996 PA 19.

Alan Sanborn  
Bruce Patterson  
Irma Clark-Coleman  
Conferees for the Senate

Jim Howell  
Edward Gaffney  
Alexander Lipsey  
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

### Messages from the Senate

#### House Bill No. 5875, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 623a and 1274 (MCL 380.623a and 380.1274), section 623a as amended by 1990 PA 159 and section 1274 as amended by 1994 PA 416.

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

The House agreed to the full title.

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

#### House Bill No. 6242, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 41 (MCL 389.41), as amended by 2000 PA 488.

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

The House agreed to the full title.

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

**House Bill No. 4096, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 (MCL 722.922, 722.923, 722.924, 722.925, 722.926, 722.927, 722.928, 722.929, 722.930, and 722.931); and to repeal acts and parts of acts.

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

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

A bill to amend 1994 PA 204, entitled "An act to create the children's ombudsman; to prescribe the powers and duties of the children's ombudsman, certain state departments and officers, and certain county and private agencies serving children; and to provide remedies from certain administrative acts," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 (MCL 722.922, 722.923, 722.924, 722.925, 722.926, 722.927, 722.928, 722.929, 722.930, and 722.931) and by adding section 5a; and to repeal acts and parts of acts.

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

**House Bill No. 4586, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, 7c, and 7j (MCL 722.622, 722.627, 722.627c, and 722.627j), section 2 as amended by 2002 PA 693, section 7 as amended by 2002 PA 661, section 7c as added by 1998 PA 428, and section 7j as added by 2002 PA 716.

The Senate has amended the bill as follows:

1. Amend page 6, following line 21, by inserting:

"Sec. 5. Except for records available under section 7(2)(a), ~~and (b), and (n)~~, the identity of a reporting person is confidential subject to disclosure only with the consent of that person or by judicial process. A person acting in good faith who makes a report, cooperates in an investigation, or assists in any other requirement of this act is immune from civil or criminal liability that might otherwise be incurred by that action. A person making a report or assisting in any other requirement of this act is presumed to have acted in good faith. This immunity from civil or criminal liability extends only to acts done ~~pursuant~~ **according** to this act and does not extend to a negligent act that causes personal injury or death or to the malpractice of a physician that results in personal injury or death."

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detention in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," by amending sections 2, 5, 7, 7c, and 7j (MCL 722.622, 722.625, 722.627, 722.627c, and 722.627j), section 2 as amended by 2002 PA 693, section 5 as amended and section 7c as added by 1998 PA 428, section 7 as amended by 2002 PA 661, and section 7j as added by 2002 PA 716.

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

**House Bill No. 5035, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303).

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 45, the bill was laid over one day.

**House Bill No. 5637, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9141.

The Senate has amended the bill as follows:

1. Amend page 1, line 9, after "to," by striking out "**appropriations, other**".

2. Amend page 2, line 7, after "**equipment**" by inserting "**and to cover the administrative costs of the department and the department of treasury in implementing and administering this grant program**".

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

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

**House Bill No. 5913, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 263 (MCL 18.1263). 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 45, the bill was laid over one day.

**House Bill No. 6008, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 45 of chapter X (MCL 710.45), as amended by 1996 PA 409.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 6009, entitled**

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending sections 3 and 9 (MCL 400.203 and 400.209), section 3 as amended by 1988 PA 225.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and ordered that it be given immediate effect.

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

**House Bill No. 6010, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 21a, 22, 23a, 23d, 24, and 24a of chapter X (MCL 710.21a, 710.22, 710.23a, 710.23d, 710.24, and 710.24a), section 21a as added by 1982 PA 72, sections 22, 24, and 24a as amended by 1996 PA 409, section 23a as amended by 1994 PA 373, and section 23d as amended by 2004 PA 68.

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

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

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties," by amending sections 21a, 22, 23a, 23d, 24, 24a, and 56 of chapter X (MCL 710.21a, 710.22, 710.23a, 710.23d, 710.24, 710.24a, and 710.56), section 21a as added by 1982 PA 72, sections 22, 24, and 24a as amended by 1996 PA 409, section 23a as amended by 1994 PA 373, section 23d as amended by 2004 PA 68, and section 56 as amended by 1994 PA 240.

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

**House Joint Resolution Z, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding sections 40, 41, and 42 to article IX, to provide for the establishment of the Michigan conservation and recreation legacy fund, the Michigan game and fish protection trust fund, and the Michigan nongame fish and wildlife trust fund.

The Senate has substituted (S-2) the joint resolution.

The Senate has adopted the joint resolution as substituted (S-2) by a 2/3 vote.

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

### Quorum Call

Rep. Richardville questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

#### Roll Call No. 1032

Yeas—83

Accavitti	Garfield	Middaugh	Smith
Acciavatti	Gielegem	Milosch	Spade
Adamini	Gillard	Minore	Stahl
Amos	Gleason	Moolenaar	Stakoe
Anderson	Hager	Murphy	Steil
Bieda	Hart	Newell	Stewart
Bradstreet	Hood	Nitz	Tabor
Brandenburg	Hoogendyk	Nofs	Taub
Brown	Hopgood	Palmer	Vagnozzi
Byrum	Huizenga	Palsrok	Van Regenmorter
Casperson	Hune	Pappageorge	Vander Veen
Caswell	Jamnick	Pastor	Voorhees
Caul	Johnson, Rick	Phillips	Walker
Clack	Julian	Pumford	Waters
Condino	Koetje	Reeves	Wenke
Daniels	Kolb	Robertson	Whitmer
DeRossett	Kooiman	Rocca	Williams
Drolet	LaJoy	Sak	Wojno
Emmons	LaSata	Shaffer	Woodward
Farhat	Lipsey	Sheen	Zelenko
Gaffney	Meisner	Sheltrown	

In The Chair: Julian

### Second Reading of Bills

#### Senate Bill No. 1383, entitled

A bill to amend 1909 PA 283, entitled “An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies,” by amending section 10 (MCL 224.10), as amended by 2003 PA 137.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see today’s Journal 86, p. 2529),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Hune moved to amend the bill as follows:

1. Amend page 2, line 15, after “than” by striking out “\$20,000.00” and inserting “\$15,000.00”.

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

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

The motion prevailed.

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

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

Rep. Waters moved that Reps. Dennis, Dillon, Elkins, Hunter, Law, McConico, O'Neil, Plakas and Stallworth be excused temporarily from today's session.

The motion prevailed.

Rep. Palmer moved that Reps. DeRoche, Hummel, Ehardt, Meyer, Shackleton, Shulman, Ward and Woronchak be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1383, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 10 (MCL 224.10), as amended by 2003 PA 137.

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

#### Roll Call No. 1033

#### Yeas—93

Accavitti	Garfield	Meyer	Sheen
Acciavatti	Gielegem	Middaugh	Sheltrown
Adamini	Gillard	Milosch	Smith
Amos	Gleason	Minore	Spade
Anderson	Hager	Moolenaar	Stahl
Bieda	Hart	Mortimer	Stakoe
Bisbee	Hood	Murphy	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brandenburg	Hopgood	Nitz	Tabor
Brown	Howell	Nofs	Taub
Byrum	Huizenga	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Jamnick	Pappageorge	Van Regenmorter
Caul	Johnson, Rick	Pastor	Vander Veen
Cheeks	Johnson, Ruth	Phillips	Voorhees
Clack	Julian	Pumford	Walker
Condino	Koetje	Reeves	Waters
Daniels	Kolb	Richardville	Wenke
DeRossett	Kooiman	Rivet	Whitmer
Drolet	LaJoy	Robertson	Williams
Emmons	LaSata	Rocca	Wojno
Farhat	Lipsey	Sak	Woodward
Farrah	Meisner	Shaffer	Zelenko
Gaffney			

#### Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

Rep. Kooiman moved that Rule 48 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

#### Senate Bill No. 1267, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 317 (MCL 484.1317) and by adding section 317a.

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

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

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

The motion prevailed.

Rep. Kooiman 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. 1267, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 317 (MCL 484.1317) and by adding section 317a.

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

#### Roll Call No. 1034

#### Yeas—100

Accavitti	Farrah	McConico	Shackleton
Acciavatti	Gaffney	Meisner	Shaffer
Adamini	Garfield	Meyer	Sheen
Amos	Gieleghem	Middaugh	Sheltrown
Anderson	Gillard	Milosch	Smith
Bieda	Gleason	Minore	Spade
Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hart	Mortimer	Stakoe
Brandenburg	Hood	Murphy	Steil
Brown	Hoogendyk	Newell	Stewart
Byrum	Hopgood	Nitz	Tabor
Casperson	Howell	Nofs	Taub
Caswell	Huizenga	O'Neil	Tobocman
Caul	Hune	Palmer	Vagnozzi
Cheeks	Hunter	Palsrok	Van Regenmorter
Clack	Jamnick	Pappageorge	Vander Veen
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
DeRossett	Julian	Pumford	Waters
Dillon	Koetje	Reeves	Wenke
Drolet	Kolb	Richardville	Whitmer
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Lipsey	Sak	Zelenko

#### Nays—0

In The Chair: Julian

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

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

A bill to amend 1986 PA 32, entitled “An act to provide for the establishment of emergency telephone districts; to provide for the installation, operation, modification, and maintenance of universal emergency number service systems; to provide for the imposition and collection of certain charges; to provide the powers and duties of certain state agencies, local units of government, public officers, telephone service suppliers, and others; to create an emergency telephone service committee; to provide remedies; to provide penalties; and to repeal certain parts of this act on specific dates,” by amending sections 317 and 602 (MCL 484.1317 and 484.1602) section 602 as amended by 2003 PA 244, and by adding section 317a.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Huizenga moved that Rule 45(c) be suspended.

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

Rep. Palmer moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 222**. (For first notice see House Journal No. 90, p. 2745.)

The question being on the motion made by Palmer,

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

**Messages from the Senate**

**House Bill No. 5668, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 2, 8, 9, and 11 (MCL 205.422, 205.428, 205.429, and 205.431), sections 2, 8, and 9 as amended by 1997 PA 187.

The Senate has amended the bill as follows:

1. Amend page 10, line 5, after “subsection” by striking out the balance of the line through “**act**,” on line 7.

2. Amend page 10, line 9, after “vehicle,” by inserting “**other than a vehicle owned or operated by a transportation company otherwise transporting tobacco products in compliance with this act**,”.

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

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

Rep. Kooiman moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1035**

**Yeas—94**

Accavitti	Gillard	Milosch	Sheltrown
Acciavatti	Gleason	Minore	Smith
Adamini	Hager	Moolenaar	Spade
Amos	Hart	Mortimer	Stahl
Anderson	Hood	Murphy	Stakoe
Bieda	Hopgood	Newell	Steil
Bradstreet	Howell	Nitz	Stewart
Brown	Huizenga	Nofs	Tabor
Byrum	Hune	O’Neil	Taub
Casperson	Hunter	Palsrok	Tobocman
Caswell	Jamnick	Pappageorge	Vagnozzi
Caul	Johnson, Rick	Pastor	Van Regenmorter

Cheeks	Johnson, Ruth	Phillips	Vander Veen
Clack	Julian	Pumford	Voorhees
Condino	Koetje	Reeves	Walker
Daniels	Kolb	Richardville	Waters
Dillon	Kooiman	Rivet	Wenke
Ehardt	LaJoy	Robertson	Whitmer
Elkins	LaSata	Rocca	Williams
Emmons	Lipsey	Sak	Wojno
Farhat	McConico	Shackleton	Woodward
Farrah	Meisner	Shaffer	Woronchak
Gaffney	Meyer	Sheen	Zelenko
Gielegem	Middaugh		

**Nays—5**

Bisbee	Drolet	Garfield	Hoogendyk
Brandenburg			

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

**House Bill No. 5670, entitled**

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 24, 41, 42, 45, 45a, 51, and 52 (MCL 24.224, 24.241, 24.242, 24.245, 24.245a, 24.251, and 24.252), sections 24, 41, 42, 45, 45a, and 52 as amended by 2004 PA 23.

(The bill was received from the Senate on December 7, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2744.)

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

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

**Roll Call No. 1036****Yeas—101**

Accavitti	Gaffney	Meisner	Shaffer
Acciavatti	Garfield	Meyer	Sheen
Adamini	Gielegem	Middaugh	Sheltrown
Amos	Gillard	Milosch	Smith
Anderson	Gleason	Minore	Spade
Bieda	Hager	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Steil
Brandenburg	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O’Neil	Tobocman
Caswell	Hune	Palmer	Vagnozzi
Caul	Hunter	Palsrok	Van Regenmorter
Cheeks	Jamnick	Pappageorge	Vander Veen
Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker



Daniels	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Dillon	Kolb	Richardville	Whitmer
Drolet	Kooiman	Rivet	Williams
Ehardt	LaJoy	Robertson	Wojno
Elkins	LaSata	Rocca	Woodward
Emmons	Lipsey	Sak	Woronchak
Farhat	McConico	Shackleton	Zelenko
Farrah			

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

**House Bill No. 5920, entitled**

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending section 8 (MCL 207.218), as amended by 1996 PA 584.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Huizenga moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1037****Yeas—98**

Accavitti	Gaffney	Middaugh	Sheen
Acciavatti	Garfield	Milosch	Sheltrown
Adamini	Gielegem	Minore	Smith
Amos	Gillard	Moolenaar	Spade
Anderson	Gleason	Mortimer	Stahl
Bieda	Hager	Murphy	Stakoe
Bisbee	Hart	Newell	Steil
Bradstreet	Hood	Nitz	Stewart
Brandenburg	Hoogendyk	Nofs	Tabor
Brown	Hopgood	O’Neil	Taub
Byrum	Howell	Palmer	Tobocman
Casperson	Huizenga	Palsrok	Vagnozzi
Caswell	Hune	Pappageorge	Van Regenmorter
Caul	Hunter	Pastor	Vander Veen
Cheeks	Jamnack	Phillips	Voorhees
Clack	Johnson, Rick	Pumford	Walker
Condino	Johnson, Ruth	Reeves	Waters
Daniels	Julian	Richardville	Wenke
DeRossett	Koetje	Rivet	Whitmer
Dillon	Kolb	Robertson	Williams
Drolet	Kooiman	Rocca	Wojno
Elkins	LaJoy	Sak	Woodward

Emmons  
Farhat  
Farrah

Lipsey  
McConico  
Meisner

Shackleton  
Shaffer

Woronchak  
Zelenko

### Nays—1

LaSata

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

#### House Bill No. 6310, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 19a of chapter XIIA (MCL 712A.19a), as amended by 2000 PA 46.

(The bill was received from the Senate on December 7, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2744.)

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

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

### Roll Call No. 1038

### Yeas—97

Accavitti	Gaffney	Meisner	Shackleton
Acciavatti	Gielegem	Meyer	Shaffer
Adamini	Gillard	Middaugh	Sheen
Amos	Gleason	Milosch	Sheltrown
Anderson	Hager	Minore	Smith
Bieda	Hart	Moolenaar	Spade
Bisbee	Hood	Mortimer	Stahl
Bradstreet	Hoogendyk	Murphy	Stakoe
Brandenburg	Hopgood	Newell	Steil
Brown	Howell	Nitz	Stewart
Byrum	Huizenga	Nofs	Tabor
Casperson	Hune	O’Neil	Taub
Caswell	Hunter	Palmer	Tobocman
Cheeks	Jamnick	Palsrok	Van Regenmorter
Clack	Johnson, Rick	Pappageorge	Vander Veen
Condino	Johnson, Ruth	Pastor	Voorhees
Daniels	Julian	Phillips	Walker
DeRossett	Koetje	Pumford	Waters
Dillon	Kolb	Reeves	Wenke
Drolet	Kooiman	Richardville	Williams
Ehardt	LaJoy	Rivet	Wojno
Elkins	LaSata	Robertson	Woodward
Emmons	Lipsey	Rocca	Woronchak
Farhat	McConico	Sak	Zelenko
Farrah			

**Nays—2**

Garfield

Vagnozzi

In The Chair: Julian

The House agreed to the full title of the bill.

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

Rep. Waters moved that Rep. McConico be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 6243, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 632.

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 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 63101 (MCL 324.63101), as amended by 1997 PA 149, and by adding section 63110 and part 632.

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

Rep. Huizenga moved that Rule 45 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. 1039****Yeas—98**

Accavitti	Farrah	Meyer	Sheen
Acciavatti	Gaffney	Middaugh	Sheltrown
Adamini	Garfield	Milosch	Smith
Amos	Gielegem	Minore	Spade
Anderson	Gillard	Moolenaar	Stahl
Bieda	Gleason	Murphy	Stakoe
Bisbee	Hart	Newell	Steil
Bradstreet	Hood	Nitz	Stewart
Brandenburg	Hoogendyk	Nofs	Tabor
Brown	Hopgood	O'Neil	Taub
Byrum	Howell	Palmer	Tobocman
Casperson	Huizenga	Palsrok	Vagnozzi
Caswell	Hune	Pappageorge	Van Regenmorter
Caul	Hunter	Pastor	Vander Veen
Cheeks	Jamnick	Phillips	Voorhees
Clack	Johnson, Rick	Pumford	Walker

Condino	Johnson, Ruth	Reeves	Waters
Daniels	Julian	Richardville	Wenke
DeRossett	Koetje	Rivet	Whitmer
Dillon	Kolb	Robertson	Williams
Drolet	Kooiman	Rocca	Wojno
Ehardt	LaJoy	Sak	Woodward
Elkins	LaSata	Shackleton	Woronchak
Emmons	Lipsey	Shaffer	Zelenko
Farhat	Meisner		

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.

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

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

**House Bill No. 6033, entitled**

A bill to create the Ronald Wilson Reagan memorial monument fund; and to prescribe the purpose of the monument fund.

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

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

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

Rep. Kooiman moved that Rule 45 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,

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

**Roll Call No. 1040****Yeas—74**

Accavitti	Gillard	Moolenaar	Spade
Acciavatti	Gleason	Mortimer	Stahl
Adamini	Hager	Newell	Stakoe
Amos	Hart	Nitz	Steil
Bisbee	Hoogendyk	Nofs	Stewart
Bradstreet	Howell	O'Neil	Tabor
Brandenburg	Huizenga	Palmer	Taub
Brown	Hune	Palsrok	Tobocman
Byrum	Jamnick	Pappageorge	Vagnozzi
Casperson	Johnson, Rick	Pastor	Van Regenmorter
Caswell	Johnson, Ruth	Pumford	Vander Veen
DeRossett	Julian	Richardville	Voorhees
Dillon	Koetje	Robertson	Walker
Drolet	Kooiman	Rocca	Waters
Ehardt	LaJoy	Sak	Wenke

Emmons	LaSata	Shackleton	Wojno
Farhat	Meyer	Shaffer	Woronchak
Gaffney	Middaugh	Sheen	Zelenko
Garfield	Milosch		

**Nays—21**

Anderson	Gielegem	McConico	Rivet
Bieda	Hopgood	Meisner	Sheltrown
Clack	Hunter	Minore	Smith
Condino	Kolb	Murphy	Williams
Daniels	Lipsey	Reeves	Woodward
Elkins			

In The Chair: Julian

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

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

“Mr. Speaker and members of the House:

With all due respect (and no disrespect intended) to former President Ronald Reagan, I voted ‘no’ on the Senate substitute for the creation of a memorial fund because I believe that greater consideration should be given to the idea of a state memorial. Certainly, Reagan’s recent death this last summer, while not unexpected, allowed for a tasteful, and genuine outpouring of national grief. On the subject of official memorials, whether they be state or federal, I believe that a sufficient time should be allowed to fully consider the subject individual’s place in history. Abraham Lincoln was assassinated in 1865, but it wasn’t until 1922 that the Lincoln Memorial was dedicated. More recently, Franklin Roosevelt’s memorial in Washington DC did not appear on the national mall until roughly fifty years after his death. I also wonder about the appropriateness of a State of Michigan memorial to former President Reagan, especially one planned for the close proximity of the State Capitol. Reagan was not from Michigan, nor was he associated with any specific Michigan industry or association. Because I believe that a truly thoughtful memorial to any person or event should be considerate of the person’s place in history, his or her ties to the state, as well as the location of the monument, I voted no on House Bill 6033.”

**House Bill No. 6245, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21571.

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 45, the bill was laid over one day.

Rep. Huizenga moved that Rule 45 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,

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

**Roll Call No. 1041****Yeas—99**

Accavitti	Farrah	Meyer	Sheen
Acciavatti	Gaffney	Middaugh	Sheltrown
Adamini	Garfield	Milosch	Smith

Amos	Gillard	Minore	Spade
Anderson	Gleason	Moolenaar	Stahl
Bieda	Hager	Mortimer	Stakoe
Bisbee	Hood	Murphy	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brandenburg	Hopgood	Nitz	Tabor
Brown	Howell	Nofs	Taub
Byrum	Huizenga	O'Neil	Tobocman
Casperson	Hune	Palmer	Vagnozzi
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnack	Pappageorge	Vander Veen
Cheeks	Johnson, Rick	Pastor	Voorhees
Clack	Johnson, Ruth	Phillips	Walker
Condino	Julian	Pumford	Waters
Daniels	Koetje	Reeves	Wenke
DeRossett	Kolb	Richardville	Whitmer
Dillon	Kooiman	Rivet	Williams
Drolet	LaJoy	Robertson	Wojno
Ehardt	LaSata	Rocca	Woodward
Elkins	Lipsey	Sak	Woronchak
Emmons	McConico	Shackleton	Zelenko
Farhat	Meisner	Shaffer	

### Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

### Second Reading of Bills

#### Senate Bill No. 817, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2004 PA 52, and by adding section 217o.

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

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

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

The motion prevailed.

Rep. Huizenga 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. 817, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2004 PA 52, and by adding section 217o.

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

### Roll Call No. 1042

### Yeas—99

Accavitti	Farrah	Meyer	Sheen
Acciavatti	Garfield	Middaugh	Sheltrown
Adamini	Gielegthem	Milosch	Smith
Amos	Gillard	Minore	Spade
Anderson	Gleason	Moolenaar	Stahl

Bieda	Hager	Mortimer	Stakoe
Bisbee	Hart	Murphy	Steil
Bradstreet	Hood	Newell	Stewart
Brandenburg	Hoogendyk	Nitz	Tabor
Brown	Hopgood	Nofs	Taub
Byrum	Howell	O'Neil	Tobocman
Casperson	Huizenga	Palmer	Vagnozzi
Caswell	Hune	Palsrok	Van Regenmorter
Caul	Hunter	Pappageorge	Vander Veen
Cheeks	Jamnack	Pastor	Voorhees
Clack	Johnson, Rick	Phillips	Walker
Condino	Johnson, Ruth	Pumford	Waters
Daniels	Julian	Reeves	Wenke
DeRossett	Koetje	Richardville	Whitmer
Dillon	Kolb	Rivet	Williams
Drolet	LaJoy	Robertson	Wojno
Ehardt	LaSata	Rocca	Woodward
Elkins	Lipsey	Sak	Woronchak
Emmons	McConico	Shackleton	Zelenko
Farhat	Meisner	Shaffer	

### Nays—1

Kooiman

In The Chair: Julian

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

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

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 307 (MCL 257.307), as amended by 2004 PA 362, and by adding section 217o.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 6235, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 16901 and 16908 (MCL 324.16901 and 324.16908), as amended by 2002 PA 496.

(The bill was received from the Senate on December 7, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2744.)  
The question being on concurring in the substitute (S-1) made to the bill by the Senate,

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

1. Amend page 7, line 27, after “(d)” by striking out “Not” through “usage.” on page 8 line 4.
2. Amend page 9, following line 17, by inserting:

**“Sec. 16908c. (1) A person who sells new tires at retail in the normal course of business shall collect a tire disposal surcharge of 75 cents for each new tire sold. The person shall forward revenue collected under this section to the state treasurer in the manner required by the state treasurer for deposit in the fund.**

**(2) Of the funds collected under subsection (1), two-thirds shall be used for capital expenditure grants.**

**(3) Subsection (1) does not apply to the sale of a retreaded tire or a tire sold as part of a vehicle to which the tire is attached.”**

The motion prevailed and the amendments were 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. 1043

### Yeas—82

Accavitti	Farrah	Lipsey	Smith
Acciavatti	Gaffney	McConico	Spade
Adamini	Gielegem	Meisner	Stahl
Amos	Gillard	Meyer	Stakoe
Anderson	Gleason	Middaugh	Steil
Bieda	Hager	Minore	Stewart
Bisbee	Hart	Murphy	Tabor
Brandenburg	Hood	Newell	Taub
Brown	Hoogendyk	Nofs	Vagnozzi
Byrum	Hopgood	O’Neil	Van Regenmorter
Casperson	Howell	Palsrok	Vander Veen
Caul	Huizenga	Pappageorge	Voorhees
Cheeks	Hune	Phillips	Waters
Clack	Hunter	Pumford	Wenke
Condino	Jamnick	Richardville	Whitmer
Daniels	Johnson, Rick	Sak	Williams
DeRossett	Johnson, Ruth	Shackleton	Wojno
Dillon	Julian	Shaffer	Woodward
Elkins	Koetje	Sheen	Woronchak
Emmons	Kolb	Sheltrown	Zelenko
Farhat	Kooiman		

### Nays—16

Bradstreet	Garfield	Moolenaar	Pastor
Caswell	LaJoy	Mortimer	Robertson
Drolet	LaSata	Nitz	Rocca
Ehardt	Milosch	Palmer	Walker

In The Chair: Julian

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

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate



the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 16901 and 16908 (MCL 324.16901 and 324.16908), as amended by 2002 PA 496, and by adding section 16908c.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

The Speaker laid before the House

#### **House Resolution No. 327.**

A resolution to urge the Governor to appoint a task force examining alleged abuse in the issuance of personal protection orders.

(The resolution was introduced, rule suspended and postponed for the day on November 30, see House Journal No. 87, p. 2593.)

The question being on the adoption of the resolution,

Rep. Howell moved to substitute (H-1) the resolution as follows:

#### **Substitute for House Resolution No. 327.**

A resolution to urge the Governor to appoint a task force or designate a board or agency to examine concerns raised about the process for obtaining, and the effectiveness of, personal protection orders.

Whereas, Personal protection orders (PPOs) are court orders protecting individuals from harassment, assault, beating, molesting, wounding, or stalking by another person. PPOs can also prohibit the assailant or potential assailant from entering the petitioner's premises, from removing minor children unless the removal is part of court-ordered visitation, and from having access to information in children's records that would reveal the respondent's address, phone number, and employment location; and

Whereas, The Michigan Domestic Violence Prevention and Treatment Board was established by state legislation over a quarter century ago and has served as a national leader among states in administering state and federal funding for domestic violence shelters and advocacy services, developing and recommending policies to protect domestic violence victims, and developing and providing technical assistance and training; and

Whereas, For over a decade, Michigan has been a national leader in protecting domestic violence victims. During the 1993-94 session, the Legislature and the Governor worked together to enact comprehensive legislation significantly improving the state's response to domestic violence. Specifically, the Legislature made stalking a crime and allowed threats, harassment, and terrorizing acts to be prosecuted, providing needed protection for victims before actual physical attacks occurred. In 1994, the Governor created the Governor's Task Force on Domestic Violence, a special bipartisan domestic violence task force to investigate the long-standing obstacles for victims and potential victims to obtaining domestic abuse injunctions. The following year, the Legislature, acting upon the task force's recommendations, created PPOs; and

Whereas, In 1996, the Prosecuting Attorney's Association of Michigan and the Michigan Family Independence Agency's Domestic Violence Prevention and Treatment Board co-chaired a task force to look into widespread complaints of PPO misuse, difficulties in the granting of PPOs, and law enforcement's response to domestic violence. The Legislature, in response, enacted a package of public acts in 1999 to help eliminate PPO mistreatment in cases involving neighborhood disputes and expand the situations where police officers can arrest PPO violators. Further, in 2000, the Governor convened the Homicide Prevention Task Force to assess the current status of domestic violence laws and programs, and to identify areas of concern. The many recommendations that the Legislature subsequently enacted included fingerprinting and record-keeping requirements for criminal contempt violations of PPOs. The next year, the Legislature enacted a measure generally requiring law enforcement officers, prosecutors, and courts to enforce foreign PPOs in the same manner that Michigan-issued PPOs are enforced; and

Whereas, Although many people have benefited from our path-breaking statutes, many in the legal community believe that issues still exist regarding the process for issuing PPOs and the effectiveness of PPOs. For example, petitioners who are denied PPOs in one county may simply file for orders in another county instead of seeking appeals. In some instances, judges grant a disproportionate number of PPOs while other judges grant fewer. Another concern is that PPOs are not always served on a timely basis; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to appoint a task force or designate a board or agency to examine concerns raised about the process for obtaining, and the effectiveness of, personal protection orders; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

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

The question being on the adoption of the resolution,

The resolution was adopted.

### Second Reading of Bills

#### Senate Bill No. 1130, entitled

A bill to amend 1978 PA 361, entitled "Michigan exposition and fairgrounds act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14a, and 15a (MCL 285.161, 285.162, 285.163, 285.164, 285.165, 285.166, 285.167, 285.168, 285.169, 285.170, 285.171, 285.172, 285.173, 285.174a, and 285.175a), sections 2, 5, 6, 7, 8, 9, and 11 as amended and sections 14a and 15a as added by 2000 PA 39, and by adding section 15b.

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

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

The motion prevailed.

#### Senate Bill No. 1171, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8901, 8904, and 8905a (MCL 324.8901, 324.8904, and 324.8905a), section 8904 as amended and section 8905a as added by 1998 PA 15.

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

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

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 1, line 4, after "is" by striking out the balance of the line through "252g" on line 5 and inserting "considered abandoned under section 252a".

2. Amend page 1, line 6, by striking out "257.252g" and inserting "257.252a".

3. Amend page 4, line 16, after "\$5,000.00." by inserting "However, the court shall not order the payment of a fine unless the vehicle has been disposed of under section 252g of the Michigan vehicle code, 1949 PA 300, MCL 257.252g.".

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

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

The motion prevailed.

Rep. Huizenga 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. 1171, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8901, 8904, and 8905a (MCL 324.8901, 324.8904, and 324.8905a), section 8904 as amended and section 8905a as added by 1998 PA 15.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 1075, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17049 and 17549 (MCL 333.17049 and 333.17549), as added by 1990 PA 247.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1075, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17049 and 17549 (MCL 333.17049 and 333.17549), as added by 1990 PA 247.

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

**Roll Call No. 1044**

**Yeas—101**

Accavitti	Garfield	Meyer	Shaffer
Acciavatti	Gielegem	Middaugh	Sheen
Adamini	Gillard	Milosch	Sheltrown
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hart	Mortimer	Stahl
Bisbee	Hood	Murphy	Stakoe
Bradstreet	Hoogendyk	Newell	Steil
Brown	Hopgood	Nitz	Stewart
Byrum	Howell	Nofs	Tabor
Casperson	Huizenga	O’Neil	Taub
Caswell	Hune	Palmer	Tobocman
Caul	Hunter	Palsrok	Vagnozzi
Cheeks	Jamnick	Pappageorge	Van Regenmorter
Clack	Johnson, Rick	Pastor	Vander Veen
Condino	Johnson, Ruth	Phillips	Voorhees
Daniels	Julian	Plakas	Walker
DeRossett	Koetje	Pumford	Waters
Dillon	Kolb	Reeves	Wenke
Drolet	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Lipsey	Rocca	Woodward
Farhat	McConico	Sak	Woronchak
Farrah	Meisner	Shackleton	Zelenko
Gaffney			

**Nays—0**

In The Chair: Julian

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act

and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 736, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 717 (MCL 257.717), as amended by 2002 PA 552.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 736, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 717 (MCL 257.717), as amended by 2002 PA 552.

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

#### Roll Call No. 1045

#### Yeas—97

Accavitti	Gaffney	Meisner	Sak
Acciavatti	Garfield	Meyer	Shackleton
Adamini	Gielegem	Middaugh	Shaffer
Amos	Gillard	Milosch	Sheen
Anderson	Gleason	Minore	Sheltrown
Bieda	Hager	Moolenaar	Smith
Bisbee	Hart	Mortimer	Spade
Bradstreet	Hoogendyk	Murphy	Stahl
Brandenburg	Hopgood	Newell	Stakoe
Brown	Howell	Nitz	Steil
Byrum	Huizenga	Nofs	Stewart
Casperson	Hune	O’Neil	Tabor
Caswell	Hunter	Palmer	Taub
Cheeks	Jamnick	Palsrok	Van Regenmorter
Clack	Johnson, Rick	Pappageorge	Vander Veen
Condino	Johnson, Ruth	Pastor	Voorhees
Daniels	Julian	Phillips	Walker
DeRossett	Koetje	Plakas	Waters
Dillon	Kolb	Pumford	Wenke
Drolet	Kooiman	Reeves	Whitmer
Ehardt	LaJoy	Richardville	Williams
Elkins	LaSata	Rivet	Wojno
Emmons	Lipsey	Robertson	Woronchak
Farhat	McConico	Rocca	Zelenko
Farrah			

#### Nays—4

Hood	Tobocman	Vagnozzi	Woodward
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In The Chair: Julian

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

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

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

The House returned to the consideration of

**Senate Bill No. 1171, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8901, 8904, and 8905a (MCL 324.8901, 324.8904, and 324.8905a), section 8904 as amended and section 8905a as added by 1998 PA 15.

(The bill was considered earlier today, see today’s Journal p. 2824.)

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. 1046**

**Yeas—71**

Accavitti	Gaffney	McConico	Smith
Acciavatti	Gieleghem	Meisner	Spade
Adamini	Gillard	Minore	Stakoe
Amos	Gleason	Moolenaar	Steil
Anderson	Hager	Murphy	Stewart
Bieda	Hart	Newell	Tobocman
Brandenburg	Hood	Nitz	Vagnozzi
Brown	Hopgood	Nofs	Voorhees
Byrum	Howell	O’Neil	Walker
Casperson	Hune	Palsrok	Waters
Cheeks	Hunter	Pappageorge	Wenke
Clack	Jamnick	Phillips	Whitmer
Daniels	Johnson, Rick	Plakas	Williams
DeRossett	Koetje	Pumford	Wojno
Dillon	Kolb	Reeves	Woodward
Elkins	LaJoy	Robertson	Woronchak
Emmons	LaSata	Sak	Zelenko
Farrah	Lipsey	Shackleton	

**Nays—30**

Bisbee	Garfield	Milosch	Sheen
Bradstreet	Hoogendyk	Mortimer	Sheltrown
Caswell	Huizenga	Palmer	Stahl
Caul	Johnson, Ruth	Pastor	Tabor
Condino	Julian	Richardville	Taub
Drolet	Kooiman	Rocca	Van Regenmorter
Ehardt	Meyer	Shaffer	Vander Veen
Farhat	Middaugh		

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1129, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5114 and 5114a (MCL 333.5114 and 333.5114a), as added by 1988 PA 489.

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

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

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

The motion prevailed.

Rep. Richardville 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. 1129, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5114 and 5114a (MCL 333.5114 and 333.5114a), as added by 1988 PA 489.

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

#### Roll Call No. 1047

#### Yeas—100

Accavitti	Gaffney	Meyer	Shaffer
Acciavatti	Garfield	Middaugh	Sheen
Adamini	Gielegem	Milosch	Sheltrown
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hart	Mortimer	Stahl
Bisbee	Hood	Murphy	Stakoe
Bradstreet	Hoogendyk	Newell	Steil
Brandenburg	Hopgood	Nitz	Stewart
Brown	Howell	Nofs	Tabor
Byrum	Huizenga	O’Neil	Taub
Casperson	Hune	Palmer	Tobocman
Caswell	Hunter	Palsrok	Vagnozzi
Caul	Jamnick	Pappageorge	Van Regenmorter
Cheeks	Johnson, Rick	Pastor	Vander Veen
Clack	Johnson, Ruth	Phillips	Voorhees
Condino	Julian	Plakas	Walker
Daniels	Koetje	Pumford	Waters
DeRossett	Kolb	Reeves	Wenke
Dillon	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Lipsey	Rocca	Woodward
Farhat	McConico	Sak	Woronchak
Farrah	Meisner	Shackleton	Zelenko

**Nays—1**

Drolet

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

**Second Reading of Bills****Senate Bill No. 677, entitled**

A bill to amend 1937 PA 306, entitled “An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 1 (MCL 388.851), as amended by 2003 PA 254.

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

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

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

The motion prevailed.

Rep. Richardville 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. 677, entitled**

A bill to amend 1937 PA 306, entitled “An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 1 (MCL 388.851), as amended by 2003 PA 254.

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

**Roll Call No. 1048****Yeas—99**

Accavitti  
Acciavatti

Farrah  
Gaffney

McConico  
Meisner

Shackleton  
Shaffer

Adamini	Garfield	Meyer	Sheen
Amos	Gielegem	Middaugh	Sheltrown
Anderson	Gillard	Milosch	Smith
Bieda	Gleason	Minore	Spade
Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hart	Murphy	Stakoe
Brandenburg	Hood	Newell	Steil
Brown	Hoogendyk	Nitz	Stewart
Byrum	Hopgood	Nofs	Tabor
Casperson	Howell	O'Neil	Taub
Caswell	Huizenga	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi
Cheeks	Hunter	Pappageorge	Vander Veen
Clack	Jamnick	Pastor	Voorhees
Condino	Johnson, Rick	Phillips	Walker
Daniels	Johnson, Ruth	Plakas	Waters
DeRossett	Julian	Pumford	Wenke
Dillon	Koetje	Reeves	Whitmer
Drolet	Kolb	Richardville	Williams
Ehardt	Kooiman	Rivet	Wojno
Elkins	LaJoy	Robertson	Woodward
Emmons	LaSata	Rocca	Zelenko
Farhat	Lipsey	Sak	

### Nays—0

In The Chair: Julian

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

Rep. Steil moved that Rep. Mortimer be excused from the balance of today's session.  
 The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 1432, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 312.

The bill was read a second time.

Reps. Stakoe and Ruth Johnson moved to amend the bill as follows:

1. Amend page 2, line 14, after "**concern**" by striking out "**in a watershed**" and inserting "**within the portion of a watershed located within their boundaries**".

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

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 5, following line 23, by inserting:

"**Sec. 31206. This part does not provide a watershed alliance with any additional authority not otherwise provided by law to the members of the watershed alliance.**".

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



Rep. Ruth Johnson moved to reconsider the vote by which the House adopted the amendment. The motion prevailed, a majority of the members present voting therefor. The question being on the adoption of the amendment offered by Rep. Ruth Johnson, The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 5, following line 23, by inserting:

**“Sec. 31206. This part does not provide a watershed alliance or any of its members with any additional authority not otherwise provided by law.”.**

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

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

The motion prevailed.

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

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

Rep. Minore moved that Rep. Jamnick be excused temporarily from today’s session. The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1432, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 312.

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

#### **Roll Call No. 1049**

#### **Yeas—99**

Accavitti	Farhat	McConico	Shaffer
Acciavatti	Farrah	Meisner	Sheen
Adamini	Gaffney	Meyer	Sheltrown
Amos	Garfield	Middaugh	Smith
Anderson	Gielegem	Milosch	Spade
Bieda	Gillard	Minore	Stahl
Bisbee	Gleason	Moolenaar	Stakoe
Bradstreet	Hager	Murphy	Stewart
Brandenburg	Hart	Newell	Tabor
Brown	Hood	Nitz	Taub
Byrum	Hoogendyk	Nofs	Tobocman
Casperson	Hopgood	O’Neil	Vagnozzi
Caswell	Howell	Palmer	Van Regenmorter
Caul	Huizenga	Palsrok	Vander Veen
Cheeks	Hune	Pappageorge	Voorhees
Clack	Hunter	Pastor	Walker
Condino	Johnson, Rick	Phillips	Waters
Daniels	Johnson, Ruth	Plakas	Wenke
Dennis	Julian	Pumford	Whitmer
DeRossett	Koetje	Reeves	Williams
Dillon	Kolb	Richardville	Wojno
Drolet	Kooiman	Rivet	Woodward
Ehardt	LaJoy	Robertson	Woronchak
Elkins	LaSata	Rocca	Zelenko
Emmons	Lipsey	Sak	

**Nays—0**

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

**Second Reading of Bills****Senate Bill No. 1458, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 14721, 14723, and 14724.

The bill was read a second time.

Rep. Kolb moved to amend the bill as follows:

1. Amend page 2, line 1, after “to” by inserting “**original equipment manufacturer replacement service parts or**”.

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 1, line 2, after “**Sec. 14721.**” by inserting “**(1)**”.

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

“**(2) This subpart may be cited as the “Mary Beth Doyle PBDE act”.**”.

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

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

The motion prevailed.

Rep. Richardville 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. 1458, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 14721, 14723, and 14724.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

**Second Reading of Bills****Senate Bill No. 1368, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 175 (MCL 600.175), as added by 2003 PA 78.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1368, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 175 (MCL 600.175), as added by 2003 PA 78.

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

**Roll Call No. 1050**

**Yeas—98**

Accavitti	Gaffney	Meisner	Sheen
Acciavatti	Garfield	Meyer	Sheltrown
Adamini	Gielegem	Middaugh	Smith
Amos	Gillard	Milosch	Spade
Anderson	Gleason	Moolenaar	Stahl
Bieda	Hager	Newell	Stakoe
Bisbee	Hart	Nitz	Steil
Bradstreet	Hood	Nofs	Stewart
Brandenburg	Hoogendyk	O’Neil	Tabor
Brown	Hopgood	Palmer	Taub
Byrum	Howell	Palsrok	Tobocman
Casperson	Huizenga	Pappageorge	Vagnozzi
Caswell	Hune	Pastor	Van Regenmorter
Caul	Hunter	Phillips	Vander Veen
Cheeks	Jamnack	Plakas	Voorhees
Clack	Johnson, Rick	Pumford	Walker
Condino	Johnson, Ruth	Reeves	Waters
Daniels	Julian	Richardville	Wenke
Dillon	Koetje	Rivet	Whitmer
Drolet	Kolb	Robertson	Williams
Ehardt	Kooiman	Rocca	Wojno
Elkins	LaJoy	Sak	Woodward
Emmons	LaSata	Shackleton	Woronchak
Farhat	Lipsey	Shaffer	Zelenko
Farrah	McConico		

**Nays—0**

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1369, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 151d and 151e (MCL 600.151d and 600.151e), section 151d as added by 2002 PA 740 and section 151e as added by 2002 PA 742.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1369, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 151d and 151e (MCL 600.151d and 600.151e), section 151d as added by 2002 PA 740 and section 151e as added by 2002 PA 742.

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

#### Roll Call No. 1051

#### Yeas—85

Accavitti	Emmons	Meisner	Shackleton
Acciavatti	Farhat	Meyer	Shaffer
Adamini	Farrah	Milosch	Sheltrown
Amos	Gaffney	Minore	Smith
Anderson	Gielegem	Moolenaar	Spade
Bieda	Gillard	Murphy	Stakoe
Bisbee	Gleason	Nitz	Steil
Brandenburg	Hager	Nofs	Stewart
Brown	Hart	O'Neil	Tabor
Byrum	Hopgood	Palmer	Taub
Casperson	Howell	Palsrok	Tobocman
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter
Cheeks	Johnson, Rick	Phillips	Vander Veen
Clack	Johnson, Ruth	Plakas	Voorhees
Condino	Julian	Pumford	Waters
Daniels	Kolb	Richardville	Wenke
Dennis	Kooiman	Rivet	Wojno
Dillon	LaJoy	Robertson	Woodward
Drolet	Lipsey	Rocca	Woronchak
Ehardt	McConico	Sak	Zelenko
Elkins			

#### Nays—10

Hoogendyk	Koetje	Newell	Stahl
Huizenga	LaSata	Sheen	Walker
Hune	Middaugh		

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1033-1051. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 1033-1045 and 1047-1051 and ‘nay’ on Roll Call No. 1046.”

### Second Reading of Bills

#### **Senate Bill No. 146, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 307b. (The bill was read a second time, substitute (H-3) adopted and bill postponed for the day on November 30, see House Journal No. 87, p. 2565.)

Rep. Adamini moved to amend the bill as follows:

1. Amend page 1, line 3, after “**is**” by striking out “**16**” and inserting “**18**”.

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 1, line 5, after “**shall**” by striking out the balance of the line through page 2, line 13, and inserting “**require that individual to sign a statement of understanding. The statement of understanding must indicate that the individual is fully aware his responsibility to register and include the following statement: “I understand that, if so required by federal law, I may be required to register with the federal selective service system when I attain the age of 18”.**”.

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

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

The motion prevailed.

Rep. Richardville 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. 146, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 307b.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 146, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 307b.  
Rep. DeRossett moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Adamini.

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

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered previously by Rep. Adamini,  
After debate,

Rep. Daniels demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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

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

#### Roll Call No. 1052

#### Yeas—50

Accavitti	Drolet	Lipsey	Sheen
Adamini	Elkins	McConico	Sheltrown
Anderson	Farrah	Meisner	Smith
Bieda	Gielegem	Minore	Spade
Brandenburg	Gillard	Murphy	Tobocman
Brown	Gleason	O'Neil	Vagnozzi
Byrum	Hood	Phillips	Waters
Cheeks	Hoogendyk	Plakas	Williams
Clack	Hopgood	Reeves	Wojno
Condino	Hunter	Rivet	Woodward
Daniels	Jamnack	Sak	Woronchak
Dennis	Julian	Shaffer	Zelenko
Dillon	Kolb		

#### Nays—53

Acciavatti	Hager	Middaugh	Shackleton
Amos	Hart	Milosch	Stahl
Bisbee	Howell	Moolenaar	Stakoe
Bradstreet	Huizenga	Newell	Steil
Casperson	Hummel	Nofs	Stewart
Caswell	Hune	Palmer	Tabor
Caul	Johnson, Rick	Palsrok	Taub
DeRoche	Johnson, Ruth	Pappageorge	Van Regenmorter
DeRossett	Koetje	Pastor	Vander Veen
Ehardt	Kooiman	Pumford	Voorhees
Emmons	LaJoy	Richardville	Walker
Farhat	LaSata	Robertson	Ward
Gaffney	Meyer	Rocca	Wenke
Garfield			

Rep. DeRossett moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Anderson.

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

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 1, line 5, after “shall” by striking out the balance of the line through page 2, line 13, and inserting “require that individual to sign a statement of understanding. The statement of understanding must indicate that the individual is fully aware his responsibility to register and include the following statement: “I understand that, if so required by federal law, I will be required to register with the federal selective service system when I attain the age of 18.””.

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

Rep. Anderson demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 1053

### Yeas—69

Accavitti	Farrah	McConico	Smith
Acciavatti	Gaffney	Meisner	Spade
Adamini	Gielegem	Middaugh	Stewart
Anderson	Gillard	Minore	Taub
Bieda	Gleason	Murphy	Tobocman
Brown	Hager	O’Neil	Vagnozzi
Byrum	Hood	Palmer	Van Regenmorter
Caswell	Hoogendyk	Phillips	Vander Veen
Caul	Hopgood	Plakas	Voorhees
Cheeks	Hunter	Reeves	Waters
Clack	Jamnick	Richardville	Wenke
Condino	Johnson, Rick	Rivet	Whitmer
Daniels	Julian	Rocca	Williams
Dennis	Koetje	Sak	Wojno
Dillon	Kolb	Shackleton	Woodward
Drolet	LaSata	Shaffer	Woronchak
Elkins	Lipsey	Sheltrown	Zelenko
Emmons			

### Nays—32

Amos	Garfield	Meyer	Robertson
Bisbee	Hart	Milosch	Sheen
Bradstreet	Howell	Moolenaar	Stahl
Brandenburg	Huizenga	Nitz	Stakoe
Casperson	Hummel	Palsrok	Steil
DeRoche	Hune	Pappageorge	Tabor
DeRossett	Kooiman	Pastor	Walker
Farhat	LaJoy	Pumford	Ward

In The Chair: Julian

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

The motion prevailed.

Rep. Richardville 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. 146, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 307b.  
The question being on the passage of the bill,

Rep. Richardville moved that consideration of the bill be postponed for the day.  
The motion prevailed.

**Notices**

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House nonconcurred in the Senate substitute (S-3) to **House Bill No. 4880**.

Rep. Richardville

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Rep. Moolenaar moved that the House adjourn.  
The motion prevailed, the time being 11:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 9, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives