

**No. 56**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2008**

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House Chamber, Lansing, Tuesday, June 10, 2008.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Lamar Lemmons, Jr. from the 2nd District, offered the following invocation:

“Dear Lord,

We thank You for this opportunity to serve the people. We thank You for our many Blessings. Let us be guided by Your wisdom and Your compassion. Help us to resolve disagreements and to work for the greater good. Please take care of our brave troops overseas. We ask these things in Jesus name, Amen.”

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

### Motions and Resolutions

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

**House Resolution No. 387.**

A resolution offered as a memorial for Harry Alexander McDonald, former member of the House of Representatives.

Whereas, It is with great respect for his contributions to our state and nation that we pause in our deliberations to mark the passing of Harry Alexander McDonald, who served as a member of the Michigan House of Representatives in 1947 and 1948. Recalling his commitment to others in many ways provides an example of unselfishness and devotion to the highest standards of citizenship; and

Whereas, Born in Cleveland and raised in Detroit, H. Alexander McDonald was a member of the “Greatest Generation,” which grew to maturity and leadership during some of America’s most challenging times. Within a few weeks of his graduation from Amherst College in Massachusetts, he joined the Navy in 1942 and went on to serve nearly two years in Europe, becoming a captain of an LST amphibious craft. Upon his return to civilian life, Mr. McDonald began his career in business; and

Whereas, As was evident in his service as a State Representative for the 1947-48 legislature, Mr. McDonald’s sense of duty remained strong. Michigan’s adjustment to the realities of the post-war era clearly benefited from the experiences of this patriot and his colleagues. His subsequent contributions as a long-time business leader in investment banking in the Detroit area reflected the manner in which his life benefited Michigan; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our respect to honor the memory of Harry Alexander McDonald, who served in this legislative body in 1947 and 1948; and be it further

Resolved, That copies of this resolution be transmitted to the McDonald family as evidence of our respect for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

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

### Reports of Standing Committees

The Speaker laid before the House

**House Resolution No. 117.**

A resolution to memorialize the Congress of the United States to provide a federal extension of unemployment benefits for those unemployed workers in the state of Michigan.

(For text of resolution, see House Journal No. 50 of 2007, p. 750.)

(The resolution was reported by the Committee on Labor on May 27, consideration of which, under the rules, was postponed until May 28.)

The question being on the adoption of the resolution,  
Rep. Tobocman demanded the yeas and nays.  
The demand was supported.

The question being on the adoption of the resolution,

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

**Roll Call No. 486****Yeas—106**

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

**Nays—0**

In The Chair: Sak

**Second Reading of Bills****House Bill No. 4840, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

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

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

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4840, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

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

**Roll Call No. 487**

**Yeas—106**

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

**Nays—1**

Garfield

In The Chair: Sak

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 85.

The motion prevailed.

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

### Second Reading of Bills

#### House Bill No. 4859, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, and 1321 (MCL 600.1304, 600.1312, and 600.1321), sections 1304 and 1321 as amended by 2004 PA 12 and section 1312 as amended by 2005 PA 6, and by adding sections 1301c, 1310a, and 1310b.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4859, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, and 1321 (MCL 600.1304, 600.1312, and 600.1321), sections 1304 and 1321 as amended by 2004 PA 12 and section 1312 as amended by 2005 PA 6, and by adding sections 1301c, 1310a, and 1310b.

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

#### Roll Call No. 488

#### Yeas—59

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

#### Nays—49

Acciavatti	Garfield	Meekhof	Pearce
Agema	Green	Meltzer	Proos
Amos	Hansen	Moolenaar	Robertson
Ball	Hildenbrand	Moore	Schuitmaker
Booher	Hoogendyk	Moss	Shaffer

Brandenburg	Horn	Nitz	Sheen
Calley	Huizenga	Nofs	Stahl
Casperson	Hune	Opsommer	Stakoe
Caswell	Knollenberg	Palmer	Steil
Caul	LaJoy	Palsrok	Walker
DeRoche	Law, David	Pastor	Wenke
Elsenheimer	Marleau	Pavlov	Wojno
Emmons			

In The Chair: Sak

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

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

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1304, 1312, 1321, and 1344 (MCL 600.1304, 600.1312, 600.1321, and 600.1344), sections 1304 and 1321 as amended by 2004 PA 12, section 1312 as amended by 2005 PA 6, and section 1344 as amended by 2002 PA 739, and by adding sections 1301c, 1310a, and 1310b.

The motion prevailed.

The House agreed to the title as amended.

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Rep. Nitz moved that Rep. Garfield be excused temporarily from today's session.

The motion prevailed.

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 489

### Yeas—60

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

### Nays—47

Acciavatti	Emmons	Meekhof	Pearce
Agema	Green	Meltzer	Proos

Amos	Hansen	Moolenaar	Robertson
Ball	Hildenbrand	Moore	Schuitmaker
Booher	Hoogendyk	Moss	Shaffer
Brandenburg	Horn	Nitz	Sheen
Calley	Huizenga	Nofs	Stahl
Casperson	Hune	Opsommer	Stakoe
Caswell	Knollenberg	Palmer	Steil
Caul	LaJoy	Palsrok	Walker
DeRoche	Law, David	Pastor	Wenke
Elsenheimer	Marleau	Pavlov	

In The Chair: Sak

### Second Reading of Bills

#### House Bill No. 4934, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2003 PA 114.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 54, p. 1261),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4934, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2003 PA 114.

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

#### Roll Call No. 490

#### Yeas—59

Accavitti	Dean	Johnson	Polidori
Angerer	Dillon	Jones, Rick	Rocca

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

**Nays—49**

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 491****Yeas—60**

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



Coulouris  
Cushingberry

Hopgood  
Jackson

Melton  
Miller

Wojno  
Young

**Nays—48**

Acciavatti  
Agema  
Amos  
Ball  
Booher  
Brandenburg  
Calley  
Casperson  
Caswell  
Caul  
DeRoche  
Elsenheimer

Emmons  
Garfield  
Green  
Hansen  
Hildenbrand  
Hoogendyk  
Horn  
Huizenga  
Hune  
Knollenberg  
LaJoy  
Law, David

Marleau  
Meekhof  
Meltzer  
Moolenaar  
Moore  
Moss  
Nitz  
Nofs  
Opsommer  
Palmer  
Palsrok  
Pastor

Pavlov  
Pearce  
Proos  
Robertson  
Schuitmaker  
Shaffer  
Sheen  
Stahl  
Stakoe  
Steil  
Walker  
Wenke

In The Chair: Sak

**Second Reading of Bills**

**House Bill No. 6031, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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

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

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

The motion prevailed.

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

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

Rep. Meekhof moved that Rep. Hoogendyk be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6031, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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

**Roll Call No. 492**

**Yeas—107**

Accavitti  
Acciavatti  
Agema

Dillon  
Donigan  
Ebli

Lahti  
LaJoy  
Law, David

Pearce  
Polidori  
Proos

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

### Nays—0

In The Chair: Sak

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

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

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 113 (MCL 208.1113), as amended by 2008 PA 97.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Accavitti, Ball, Bauer, Bennett, Brandenburg, Brown, Byrum, Calley, Caul, Clack, Condino, Constan, Corriveau, Cushingberry, Donigan, Ebli, Espinoza, Farrah, Garfield, Gillard, Gonzales, Green, Griffin, Hammel, Hammon, Hildenbrand, Horn, Jackson, Johnson, Rick Jones, Robert Jones, Knollenberg, LaJoy, David Law, Kathleen Law, LeBlanc, Leland, Lindberg, Marleau, Mayes, McDowell, Meekhof, Melton, Meltzer, Moolenaar, Moore, Nitz, Nofs, Opsommer, Palsrok, Pastor, Pearce, Polidori, Rocca, Sak, Schuitmaker, Scott, Sheltrown, Simpson, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine and Warren were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 5323, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1701, 1702, 1703, 1704, 1711, 1741, 1751, and 1761 (MCL 380.1701, 380.1702, 380.1703, 380.1704, 380.1711, 380.1741, 380.1751, and 380.1761), section 1703 as amended by 1995 PA 289 and section 1704 as added by 2000 PA 129.

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

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5323, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1701, 1702, 1703, 1704, 1711, 1741, 1751, and 1761 (MCL 380.1701, 380.1702, 380.1703, 380.1704, 380.1711, 380.1741, 380.1751, and 380.1761), section 1703 as amended by 1995 PA 289 and section 1704 as added by 2000 PA 129.

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

**Roll Call No. 493**

**Yeas—88**

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

**Nays—20**

Acciavatti	Casperson	Hoogendyk	Shaffer
Agema	Caswell	Hune	Sheen
Amos	DeRoche	Meekhof	Stahl
Ball	Elsenheimer	Palmer	Steil
Calley	Garfield	Robertson	Wenke

In The Chair: Sak

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

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

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1701, 1702, 1703, 1704, 1711, 1741, 1751, and 1761 (MCL 380.1701, 380.1702, 380.1703, 380.1704, 380.1711, 380.1741, 380.1751, and 380.1761), sections 1701, 1711, 1751, and 1761 as amended by 2008 PA 1, section 1703 as amended by 1995 PA 289, and section 1704 as added by 2000 PA 129.

The motion prevailed.

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

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

“Mr. Speaker and members of the House:

While I do not disagree with the premise of more open rule making for our special education students, I do not believe this bill will do it. More changes need to be made so that not only will the process be open but that the process will also effectively address the needs of these students. I would gladly support such changes.”

Rep. Palmer, 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:

When something is broken, it is time to fix it. The problem of who has the final say over rules for special education children is one that has been debated for years. In the minds of many, having this authority rest in the hands of the State Board of Education was considered to be not the best outcome. Today, we voted on a bill to change back to a system previously determined to be ineffective. If a change needs to be made, it should be a change that best reflects the needs of the students. We have a responsibility to provide services and education for all Michigan children, regardless of their ability, and to provide the best service we can, and reverting to a process that has been unsuccessful in the past doesn't seem to be the way to move forward. The key issue is accountability to the citizens, and in this case particularly parents. Since the Superintendent of education is directly responsible to the State Board of education, this legislation does not necessarily accomplish that.”

## Second Reading of Bills

### Senate Bill No. 1107, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18b, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 25c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 104b, 105, 105c, 107, 147, 151, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1704b, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1751, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 107, and 151 as amended by 2007 PA 137, sections 4 and 164c as amended by 2005 PA 155, section 18b as added by 2000 PA 297, section 20d as amended by 1997 PA 93, section 25c as added by 2001 PA 121, section 38 as amended by 2003 PA 158, section 104b as added by 2004 PA 593, sections 105 and 105c as amended by 2006 PA 342, and section 147 as amended by 2007 PA 92, and by adding sections 11n, 22e, 32e, 42, 57a, 99m, 99n, and 99o; and to repeal acts and parts of acts.

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

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

Rep. Walker moved to amend the bill as follows:

1. Amend page 43, line 10, by striking out “\$8,488.00” and inserting “\$8,507.00”.
2. Amend page 66, line 6, after “\$6,500.00” by inserting “AND THAT HAVE A MEMBERSHIP EXCLUDING SPECIAL EDUCATION PUPILS FOR THE CURRENT FISCAL YEAR OF LESS THAN 300”.
3. Amend page 66, line 8, after “district” by inserting “THAT QUALIFIES FOR AN ALLOCATION”.

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

Reps. Ward and Palsrok moved to amend the bill as follows:

1. Amend page 26, line 1, after "made" by striking out the balance of the subdivision and inserting "AS FOLLOWS:

**(i) FIRST, CALCULATE THE TOTAL DOLLAR AMOUNT THAT MUST BE RECOVERED UNDER THIS SUBSECTION AND MULTIPLY THAT TOTAL BY AN AMOUNT EQUAL TO THE QUOTIENT OF THE AMOUNT OF THE TOTAL ALLOCATIONS TO DISTRICTS AS CALCULATED UNDER SECTION 20J DIVIDED BY THE INCREASE IN APPROPRIATION UNDER SECTION 22B FROM 2007-2008 TO 2008-2009, AND MULTIPLY THIS RESULT BY 100.**

**(ii) SECOND, DIVIDE THE TOTAL DOLLAR AMOUNT CALCULATED UNDER SUBPARAGRAPH (i) BY THE MEMBERSHIP EXCLUDING SPECIAL EDUCATION PUPILS FOR ALL DISTRICTS RECEIVING AN ALLOCATION CALCULATED UNDER SECTION 20J.**

**(iii) THIRD, REDUCE THE PER PUPIL ALLOCATION FOR EACH DISTRICT AS CALCULATED UNDER SECTION 20J BY THE PER PUPIL AMOUNT CALCULATED UNDER SUBPARAGRAPH (ii).**

**(iv) FOURTH, AFTER MAKING THE REDUCTION UNDER SUBPARAGRAPH (iii), THE REMAINING REDUCTION THAT MUST BE MADE UNDER THIS SUBSECTION SHALL BE RECOVERED BY CALCULATING AN EQUAL DOLLAR AMOUNT PER PUPIL AND REDUCING EACH DISTRICT'S TOTAL STATE SCHOOL AID FROM STATE SOURCES, OTHER THAN PAYMENTS UNDER SECTIONS 11F, 11G, 11J, 11N, 22A, 26A, 26B, 31D, 31F, 51A(2), 51A(12), 51C, AND 53A, BY THAT AMOUNT."**

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

Reps. Caswell and Spade moved to amend the bill as follows:

1. Amend page 231, following line 3, by inserting:

"Sec. 166b. (1) This act does not prohibit a parent or legal guardian of a minor who is enrolled in any of grades 1 to 12 in a nonpublic school or who is being home-schooled from also enrolling the minor in a district or intermediate district in any curricular offering that is provided by the district or intermediate district at a public school site and is available to pupils in the minor's grade level or age group, subject to compliance with the same requirements that apply to a full-time pupil's participation in the offering. However, state school aid shall be provided under this act for a minor enrolled as described in this subsection only for curricular offerings that are offered to full-time pupils in the minor's grade level or age group during regularly scheduled school hours.

(2) This act does not prohibit a parent or legal guardian of a minor who is enrolled in any of grades 1 to 12 in a nonpublic school located within the district or who resides within the district and is being home-schooled from also enrolling the minor in the district in a curricular offering being provided by the district at the nonpublic school site. However, state school aid shall be provided under this act for a minor enrolled as described in this subsection only if all of the following apply:

(a) **EITHER OF THE FOLLOWING:**

**(i) The nonpublic school site is located, or the nonpublic students are educated, within the geographic boundaries of either the district or a contiguous district operating under a cooperative program of which the district is a member and that is established for the purpose of providing nonessential elective courses to nonpublic school students—THE DISTRICT.**

**(ii) IF THE NONPUBLIC SCHOOL HAS REQUESTED THE DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS LOCATED TO PROVIDE CERTAIN INSTRUCTION UNDER THIS SUBSECTION FOR A SCHOOL YEAR AND THE DISTRICT DOES NOT AGREE TO PROVIDE SOME OR ALL OF THAT INSTRUCTION BY MAY 1 IMMEDIATELY PRECEDING THAT SCHOOL YEAR OR, IF THE REQUEST IS MADE AFTER MARCH 1 IMMEDIATELY PRECEDING THAT SCHOOL YEAR, WITHIN 60 DAYS AFTER THE NONPUBLIC SCHOOL MAKES THE REQUEST, THE PORTION OF THE INSTRUCTION THAT THE DISTRICT HAS NOT AGREED TO PROVIDE IS INSTEAD PROVIDED BY A DISTRICT THAT IS CONTIGUOUS TO THE DISTRICT IN WHICH THE NONPUBLIC SCHOOL IS LOCATED.**

(b) The nonpublic school is registered with the department as a nonpublic school and meets all state reporting requirements for nonpublic schools.

(c) The instruction is scheduled to occur during the regular school day.

(d) The instruction is provided directly by an employee of the district or of an intermediate district.

(e) The curricular offering is also available to full-time pupils in the minor's grade level or age group in the district during the regular school day at a public school site.

(f) The curricular offering is restricted to nonessential elective courses for pupils in grades 1 to 12.

(3) A minor enrolled as described in this section is a part-time pupil for purposes of state school aid under this act."

The question being on the adoption of the amendment offered by Reps. Caswell and Spade,

Rep. Caswell demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Caswell and Spade,

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

**Roll Call No. 494****Yeas—108**

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

**Nays—0**

In The Chair: Sak

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

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

Rep. Ward entered the House Chambers.

Rep. Rick Jones moved to amend the bill as follows:

1. Amend page 26, following line 25, by inserting:

**“(6) IF LEGISLATION IS ENACTED THAT PROVIDES AN EXEMPTION OR TEMPORARY SUSPENSION OF THE COLLECTION OF THE SALES TAX LEVIED ON THE SALE AT RETAIL OF GASOLINE, IT IS THE INTENT OF THE LEGISLATURE TO APPROPRIATE SUFFICIENT FUNDS FROM THE GENERAL FUND TO THE STATE SCHOOL AID FUND TO FULLY COMPENSATE FOR ANY LOSS OF REVENUE TO THE STATE SCHOOL AID FUND RESULTING FROM THE ENACTMENT OF THAT LEGISLATION.”.**

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

Rep. Rick Jones demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 495****Yeas—104**

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

**Nays—5**

Hood	Tobocman	Vagnozzi	Young
Meadows			

In The Chair: Sak

Rep. Pearce moved to amend the bill as follows:

1. Amend page 11, line 27, after "12." by striking out the balance of the subdivision.

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

Rep. Sheltrown moved to amend the bill as follows:

1. Amend page 232, line 2, by striking out all of enacting section 2.
2. Amend page 232, following line 1, by inserting:

"Enacting section 2. Sections 32 and 32e of the state school aid act of 1979, 1979 PA 94, MCL 388.1632 and 388.1632e are repealed effective October 1, 2008."

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

Rep. Gillard moved to amend the bill as follows:

1. Amend page 178, following line 17, by inserting:

**"SEC. 98D. FROM THE GENERAL FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED FOR 2008-2009 AN AMOUNT NOT TO EXCEED \$100.00 FOR WEB-BASED PRACTICE ASSESSMENTS. THE DEPARTMENT SHALL CONTRACT FOR A WEB-BASED PRACTICE ASSESSMENT AND CLASSROOM REMEDIATION PROGRAM THAT INCLUDES READING, MATHEMATICS, SOCIAL STUDIES, AND SCIENCE AND MAY BE USED BY UP TO 250,000 PUPILS IN GRADES 6, 7, AND 8.**

**ADDITIONALLY, THE PROGRAM SHALL INCLUDE A PILOT WRITING PRACTICE ASSESSMENT. THE CONTRACT SHALL ENSURE THAT THE PROGRAM MEETS ALL OF THE FOLLOWING:**

- (A) HAS THE ABILITY TO REGISTER PUPILS ONLINE.**
- (B) IS ACCESSIBLE OVER THE INTERNET.**
- (C) PROVIDES TEST RESULTS IMMEDIATELY UPON COMPLETION OF THE TEST.**
- (D) PROVIDES REMEDIAL SERVICE BY LINKING TO TEXTBOOKS IN THE CLASSROOM.**
- (E) SUBJECT TO FEDERAL PRIVACY LAW, PROVIDES RESULTS THAT ARE REPORTED TO THE DISTRICT SUPERINTENDENT, THE SCHOOL PRINCIPAL, PARENTS, PUPILS, THE DEPARTMENT, AND THE TEACHER TRAINING INSTITUTIONS OF THIS STATE AND THAT ARE TRACKED BY PUPIL, CLASSROOM, SCHOOL, AND DISTRICT.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Rep. Gillard moved to amend the bill as follows:

1. Amend page 191, following line 15, by inserting:

**“SEC. 99R. FROM THE GENERAL FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED \$100.00 FOR JUNIOR ACHIEVEMENT PROGRAMS. TO RECEIVE FUNDS ALLOCATED UNDER THIS SECTION, A LOCAL PROGRAM MUST MATCH THE AMOUNT OF THOSE FUNDS WITH FUNDS RAISED LOCALLY BY JUNIOR ACHIEVEMENT. THIS FUNDING SHALL BE USED TO PROVIDE A SCHOOL-BASED CURRICULUM AND YOUTH PROGRAMS FOCUSING ON ENTREPRENEURSHIP, WORK-READINESS SKILLS, AND FINANCIAL LITERACY FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOL. THE INTENT OF THIS FUNDING IS TO MAKE THESE PROGRAMS AVAILABLE TO 1,000 CLASSROOMS OR UP TO 22,000 PUPILS.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 191, following line 15, by inserting:

**“SEC. 99Q. FROM THE GENERAL FUND MONEY APPROPRIATED IN SECTION 11, THE DEPARTMENT SHALL AWARD A GRANT OF \$100.00 TO A FOUNDATION THAT HAS ALREADY RECEIVED A PLANNING GRANT FROM THE DEPARTMENT FOR A PUBLIC SCHOOL ACADEMY THAT IS A BOARDING SCHOOL WITH A MARITIME FOCUS AND IS LOCATED IN A DISTRICT OF THE FIRST CLASS.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Reps. Brown and Mayes moved to amend the bill as follows:

1. Amend page 73, line 14, after **“EXCEED”** by striking out **“\$3,799,325,000.00”** and inserting **“\$3,799,025,000.00”**.
2. Amend page 161, line 17, after **“exceed”** by striking out **“\$1,000,000.00”** and inserting **“\$1,300,000.00”**.
3. Amend page 161, following line 26, by inserting:

**“(3) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), THE DEPARTMENT SHALL AWARD \$300,000.00 FOR 2008-2009 TO ELIGIBLE INTERMEDIATE DISTRICTS FOR PROGRAMS TO TRAIN PUPILS IN ALTERNATIVE ENERGY. THE DEPARTMENT SHALL AWARD \$100,000.00 TO EACH ELIGIBLE INTERMEDIATE DISTRICT. THE INTERMEDIATE DISTRICT SHALL USE THE FUNDS FOR ENGINEERING AND SCIENCES PROGRAMS WITH INDUSTRY LEVEL PARTNERSHIPS THAT ARE IN PROXIMITY TO RENEWABLE ENERGY FACILITIES. TO BE ELIGIBLE FOR FUNDS UNDER THIS SUBSECTION, AN INTERMEDIATE DISTRICT MUST MEET ALL OF THE FOLLOWING REQUIREMENTS:**

- (A) THE COMBINED TOTAL 2007-2008 PUPIL MEMBERSHIP FOR ALL OF ITS CONSTITUENT DISTRICTS WAS LESS THAN 20,000 PUPILS.**
- (B) LEVIED AT LEAST .11 BUT NOT MORE THAN .19 OPERATING MILLS IN 2007-2008.**
- (C) HAD A 2007 TAXABLE VALUE GREATER THAN \$1,500,000,000.00.**
- (D) AT LEAST 28% OF THE COMBINED TOTAL NUMBER OF PUPILS IN MEMBERSHIP FOR ALL OF ITS CONSTITUENT DISTRICTS WERE ELIGIBLE FOR FREE OR REDUCED-PRICE LUNCH FOR 2007-2008.**
- (E) IS CONTIGUOUS TO AT LEAST 1 OTHER INTERMEDIATE DISTRICT THAT MEETS THE REQUIREMENTS OF SUBDIVISIONS (A) TO (D).”** and renumbering the remaining subsections.

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

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 31, line 21, by striking out all of section 11n.
2. Amend page 43, line 10, by striking out **“\$8,488.00”** and inserting **“\$8,500.00”**.
3. Amend page 73, line 14, after **“EXCEED”** by striking out **“\$3,799,325,000.00”** and inserting **“\$3,831,325,000.00”**.

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



Rep. Meisner moved to amend the bill as follows:

1. Amend page 191, following line 15, by inserting:

**“SEC. 99Q. FROM THE STATE SCHOOL AID FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED FOR 2008-2009 AN AMOUNT NOT TO EXCEED \$250,000.00 FOR PAYMENTS TO THE CENTER FOR ADVANCED STUDIES AND THE ARTS ON BEHALF OF DISTRICTS PARTICIPATING IN THAT CONSORTIUM.”** and adjusting the totals in section 11 and enacting section 1 accordingly.

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1107, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18b, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 25c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 104b, 105, 105c, 107, 147, 151, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1704b, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1751, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 107, and 151 as amended by 2007 PA 137, sections 4 and 164c as amended by 2005 PA 155, section 18b as added by 2000 PA 297, section 20d as amended by 1997 PA 93, section 25c as added by 2001 PA 121, section 38 as amended by 2003 PA 158, section 104b as added by 2004 PA 593, sections 105 and 105c as amended by 2006 PA 342, and section 147 as amended by 2007 PA 92, and by adding sections 11n, 22e, 32e, 42, 57a, 99m, 99n, and 99o; and to repeal acts and parts of acts.

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

#### Roll Call No. 496

#### Yeas—61

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

## Nays—48

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

In The Chair: Sak

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

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

A bill to amend 1979 PA 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 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18b, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 25b, 25c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 54c, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99c, 99e, 99i, 99j, 99k, 99n, 99p, 104, 104b, 105, 105c, 107, 147, 151, 164c, 166b, and 166e (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625b, 388.1625c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1654c, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699c, 388.1699e, 388.1699i, 388.1699j, 388.1699k, 388.1699n, 388.1699p, 388.1704, 388.1704b, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1751, 388.1764c, 388.1766b, and 388.1766e), sections 3, 6, 11a, 11g, 11k, 11m, 15, 19, 20, 20j, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39, 39a, 41, 51d, 53a, 54, 54a, 57, 61a, 64, 65, 74, 81, 94a, 98, 99, 99c, 99e, 107, and 151 as amended and sections 99i, 99j, and 99k as added by 2007 PA 137, sections 4 and 164c as amended by 2005 PA 155, sections 11, 11j, 22a, 22b, 22d, 51a, 51c, 56, 62, and 104 as amended and sections 54c, 99n, and 99p as added by 2008 PA 112, section 18b as added by 2000 PA 297, section 20d as amended and section 166e as added by 1997 PA 93, section 25b as amended and section 25c as added by 2001 PA 121, section 38 as amended by 2003 PA 158, section 104b as added by 2004 PA 593, sections 105 and 105c as amended by 2006 PA 342, section 147 as amended by 2007 PA 92, and section 166b as amended by 1999 PA 119, and by adding sections 11n, 22e, 31h, 32g, 32h, 98d, 99h, 99m, 99o, 99q, and 99r; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Agema, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
“Mr. Speaker and members of the House:

This budget takes money from other school districts and gives it to Detroit. It’s a 23% increase in GF funds and 4% over all in a declining economy. The small schools concept is ridiculous. This budget also educates 4 years olds and it has not

been proven it will work, especially when we can't afford our present expenditures. We should not be adding new programs. This is not a balanced budget and is \$32 million over budget. That's not constitutional."

Rep. Meekhof, 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 can note for this budget at this time. The current projected spending shows this budget is under funded, or in the red to the tune of 32 million dollars.

Mr. Speaker I want to vote for budgets that helps the state of Michigan live within its means

Also Mr. Speaker, I am opposed to the language change that allows a change in the definition in the 'class 1' description of schools. This change will take away foundation grant money for schools for can perform and graduate educated children."

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

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

The Speaker laid before the House

#### **House Bill No. 5221, entitled**

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; to provide for expenditures under the supervision of the director of the department of management and budget and the state administrative board; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to prescribe standards and conditions relating to the appropriations; to make appropriations for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on May 28, with amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 3, see House Journal No. 52, p. 1210.)

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. 497**

#### **Yeas—108**

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

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

### Nays—0

In The Chair: Sak

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

#### Senate Bill No. 511, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

(The Senate amendments, as amended, were concurred in on May 8, see House Journal No. 44, p. 1015.)

Rep. Tobocman moved that Rule 63 be suspended.

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

Rep. Tobocman moved to reconsider the vote by which the House concurred in the Senate amendments.

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

### Messages from the Senate

#### Senate Bill No. 511, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

The question being on concurring in the amendments to the House substitute (H-9) to the Senate substitute (S-2) to the House substitute (H-3) made to the bill by the Senate,

Rep. Tobocman moved that Rule 63 be suspended.

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

Rep. Tobocman moved to reconsider the vote by which the House adopted the amendments offered previously by Rep. Hood.

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

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

Rep. Hood withdrew the amendments.

The question being on concurring in the amendments to the House substitute (H-9) to the Senate substitute (S-2) to the House substitute (H-3) made to the bill by the Senate,

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

**Roll Call No. 498****Yeas—36**

Acciavatti	Elsenheimer	Marleau	Pearce
Agema	Garfield	Meltzer	Proos
Amos	Green	Moolenaar	Robertson
Ball	Hansen	Moss	Shaffer
Brandenburg	Hildenbrand	Nitz	Sheen
Calley	Huizenga	Palmer	Stahl
Casperson	Knollenberg	Palsrok	Steil
Caswell	LaJoy	Pastor	Walker
DeRoche	Law, David	Pavlov	Wenke

**Nays—72**

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

In The Chair: Sak

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Spade, Sak, Accavitti, Ball, Bauer, Bieda, Booher, Brown, Byrnes, Casperson, Caswell, Clack, Clemente, Condino, Constan, Dean, Donigan, Farrah, Garfield, Gonzales, Green, Griffin, Hammel, Hammon, Hansen, Hopgood, Huizenga, Rick Jones, Robert Jones, Knollenberg, Kathleen Law, LeBlanc, Lemmons, Marleau, Mayes, Meadows, Meekhof, Meltzer, Miller, Moss, Nofs, Opsommer, Palmer, Polidori, Proos, Rocca, Scott, Shaffer, Sheltrown, Simpson, Stahl, Steil, Tobocman, Vagnozzi, Warren, Lahti and Leland offered the following resolution:

**House Resolution No. 388.**

A resolution declaring June 10, 2008, as Leader Dogs for the Blind Day in the state of Michigan and recognizing the contributions of Leader Dogs for the Blind.

Whereas, Founded in Michigan in 1939 by Lions Club members, Charles Nutting, Don Schuur and S.A. Dodge, Leader Dogs for the Blind has successfully matched and graduated over 13,000 person/dog teams since its inception. The dream of these men became vision and independence for thousands; and

Whereas, The dedicated staff at Leader Dogs for the Blind is over 100 strong. The facilities, located on the original 14 acres first purchased by the founders, have morphed from a farm with numerous outbuildings to a superb residence center, a stellar kennel, and well-manicured grounds. This complex is home to students, dogs, all services departments and the support staff that enable Leader Dogs for the Blind to enhance the lives of blind and visually impaired individuals from all over the world; and

Whereas, As the second dog guide school founded in the U.S., it is proud of its programs offered, its graduates who live the mission each year and the thousands of lives that have been touched directly from the services provided by Leader Dogs for the Blind. To maintain the high standard of excellence, it is a member of the U.S. Council of Dog Guide Schools and the International Guide Dog Federation. These bodies keep dog guide schools accountable for their actions, program additions and modifications. The International Guide Dog Federation reassesses members every five years. The last assessment conducted reflected the great efforts of its staff and volunteers. The veteran assessor with 36 years in the field had only positive comments. He impressed upon the management and staff that Leader Dogs for the Blind was among the best he had ever seen; and

Whereas, Its ultimate goal is to be recognized as a full service resource center for individuals who are blind and visually impaired. Its vision is to become the most innovative and forward thinking organization in the profession; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare June 10, 2008, as Leader Dogs for the Blind Day in state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

#### Announcement by the Clerk of Printing and Enrollment

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

<b>House Bill Nos.</b>	<b>6204</b>	<b>6205</b>	<b>6206</b>	<b>6207</b>	<b>6208</b>	<b>6209</b>	<b>6210</b>	<b>6211</b>	<b>6212</b>	<b>6213</b>	<b>6214</b>	<b>6215</b>	<b>6216</b>	<b>6217</b>
	<b>6218</b>	<b>6219</b>	<b>6220</b>	<b>6221</b>	<b>6222</b>	<b>6223</b>	<b>6224</b>	<b>6225</b>	<b>6226</b>	<b>6227</b>	<b>6228</b>			

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, June 10:

**Senate Bill No. 1367**

The Clerk announced that the following Senate bills had been received on Tuesday, June 10:

**Senate Bill Nos. 1123 1127 1196**

#### Reports of Standing Committees

The Committee on Labor, by Rep. Miller, Chair, reported

**House Bill No. 5944, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19 (MCL 38.19), as amended by 2002 PA 93.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 8, line 2, after "**SEPTEMBER 30,**" by striking out "**2008**" and inserting "**2009**".
2. Amend page 8, line 15, after "**SEPTEMBER 30,**" by striking out "**2008**" and inserting "**2009**".

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Bieda, Constan, Farrah, Hopgood, Lindberg, LaJoy, Steil and Rick Jones

Nays: Rep. Wenke

The Committee on Labor, by Rep. Miller, Chair, reported

**House Bill No. 5966, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 45 (MCL 38.45), as amended by 2002 PA 743.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Bieda, Constan, Farrah, Hopgood, Lindberg, LaJoy, Steil and Rick Jones

Nays: Rep. Wenke

The Committee on Labor, by Rep. Miller, Chair, reported

**House Bill No. 6112, entitled**

A bill to provide for compulsory arbitration of labor disputes in public corrections facilities; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority of arbitration panels; and to provide for the enforcement and review of decisions of the arbitration panels.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Constan, Farrah, Hopgood, Lindberg and Rick Jones

Nays: Reps. Wenke and Steil

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2008

Present: Reps. Miller, Meadows, Bieda, Constan, Farrah, Hopgood, Lindberg, Wenke, LaJoy, Steil and Rick Jones

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

**Senate Bill No. 1206, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 10 (MCL 125.2686 and 125.2690), section 6 as amended by 2006 PA 304 and section 10 as amended by 2008 PA 117.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga and Knollenberg

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2008

Present: Reps. Meisner, Robert Jones, Byrum, Clemente, Coulouris, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok and Knollenberg

Absent: Reps. Accavitti, Stakoe, Rick Jones and Meltzer  
 Excused: Reps. Accavitti, Stakoe, Rick Jones and Meltzer

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

**House Bill No. 4593, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2006 PA 158.

With the recommendation that the substitute (H-6) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Scott, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Schuitmaker, Knollenberg, Opsommer and Pavlov  
 Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2008

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

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported

**House Bill No. 6133, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2006 PA 382.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Brown, Hammon, Lindberg, Simpson, Casperson, Walker and Horn  
 Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2008

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Lindberg, Simpson, Casperson, Walker and Horn

Absent: Reps. Kathleen Law and Stakoe

Excused: Reps. Kathleen Law and Stakoe

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

**House Bill No. 6088, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 303a, 401, and 601 (MCL 339.303a, 339.401, and 339.601), section 303a as amended by 2006 PA 489, section 401 as amended by 1988 PA 463, and section 601 as amended by 2007 PA 157, and by adding article 14.

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

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



## Favorable Roll Call

## To Report Out:

Yeas: Reps. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau, Palsrok and Gaffney  
Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

**House Bill No. 6187, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 413.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau, Palsrok and Gaffney  
Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

**House Bill No. 6188, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 526.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau, Palsrok and Gaffney  
Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

**House Concurrent Resolution No. 86.**

A concurrent resolution relative to secondary road patrol funds for certain communities in Oakland and Wayne Counties. (For text of concurrent resolution, see House Journal No. 55, p. 1292.)

With the recommendation that the following substitute (H-2) be adopted and that the concurrent resolution then be adopted.

**Substitute for House Concurrent Resolution No. 86.**

A concurrent resolution relative to secondary road patrol funds for cities and villages in all of Michigan's counties.

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection 3 of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; and

Whereas, In all of Michigan's counties, city and village general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That cities and villages in all of Michigan's counties have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That cities and villages in all of Michigan's counties have met the necessary terms of their agreements for secondary road patrol services.

The concurrent resolution and substitute were laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Farrah, Meadows, Wojno, Warren, Marleau, Palsrok and Gaffney

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2008

Present: Reps. Farrah, Meadows, Virgil Smith, Wojno, Warren, Marleau, Palsrok and Gaffney

Absent: Reps. Scott and Ward

Excused: Reps. Scott and Ward

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2008

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

#### Messages from the Senate

##### **Senate Bill No. 1123, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 3 (MCL 290.643), as amended by 2006 PA 271.

The Senate has passed the bill.

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

##### **Senate Bill No. 1127, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36110, 36112, and 36113 (MCL 324.36110, 324.36112, and 324.36113), section 36110 as amended by 1996 PA 233 and sections 36112 and 36113 as added by 1995 PA 59.

The Senate has passed the bill.

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

##### **Senate Bill No. 1196, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 430.

The Senate has passed the bill.

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

##### **Senate Bill No. 1093, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Hardiman, Garcia and Clark-Coleman as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 1094, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Kahn, Pappageorge and Cherry as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 1095, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Cropsey, Kahn and Brater as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 1096, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

The Senate has nonconcurred in the House substitute (H-2) and appointed Senators Jelinek, Brown and Switalski as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 1097, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Garcia, Cropsey and Brater as conferees.

The message was referred to the Clerk for record.

**Senate Bill No. 1106, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators McManus, Jelinek and Brater as conferees.

The message was referred to the Clerk for record.

**Notices**

Pursuant to Rule 41, the Speaker has made the following reassignments:

**Senate Bill No. 978** referred to the Committee on Commerce.

**Senate Bill No. 980** referred to the Committee on Commerce.

### Communications from State Officers

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

Notice of Filing  
Administrative Rules

June 6, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 2:17 p.m. this date, administrative rule (08-06-05) for the Department of Environmental Quality "Great Lakes Bottomland Preserve Grand Traverse Bay".

These rules take effect immediately after filing with the Secretary of State.

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

The communication was referred to the Clerk.

### Introduction of Bills

Rep. Calley introduced

**House Bill No. 6229, entitled**

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

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

Rep. Calley introduced

**House Bill No. 6230, entitled**

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

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

Reps. Lahti, McDowell, Polidori, Lindberg, Brown, Spade, Simpson, Bennett, Corriveau, Valentine and Stahl introduced

**House Bill No. 6231, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9501 (MCL 440.9501), as amended by 2004 PA 212.

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

Reps. Spade, Bieda and Meadows introduced

**House Bill No. 6232, entitled**

A bill to amend 1897 PA 180, entitled "An act to provide for the issuance of marriage licenses and certificates without publicity in certain cases; and to provide criminal and civil penalties for violation of this act," by amending section 3 (MCL 551.203).

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

Reps. Spade, Lahti, Mayes, Shaffer, Byrnes, Stahl, Rick Jones, Hammel, Gonzales, Polidori, Condino, Meadows and Bauer introduced

**House Bill No. 6233, entitled**

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

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 14a (MCL 722.124a), as amended by 1984 PA 396.

The bill was read a first time by its title and referred to the Committee on Families and Children’s Services.

Reps. Spade, Polidori, Kathleen Law, Alma Smith, Gonzales, Griffin, Hopgood and Leland introduced

**House Bill No. 6234, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1246 and 1536 (MCL 380.1246 and 380.1536), section 1246 as amended by 2004 PA 148 and section 1536 as added by 2006 PA 335.

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

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Rep. Hammon moved that the House adjourn.  
The motion prevailed, the time being 5:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 11, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

