

No. 29  
STATE OF MICHIGAN  
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**House of Representatives**  
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REGULAR SESSION OF 2008

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House Chamber, Lansing, Thursday, March 20, 2008.

12:00 Noon.

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

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

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—excused	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—e/d/s
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—excused	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. John P. Stakoe, from the 44th District, offered the following invocation:

“Heavenly Father, we begin another day serving the people of Michigan asking You to bring us together in common cause for those we represent. We pray that You imbue in all of us the qualities required to do our work with fairness, understanding and wisdom. That our singular desire in the work we do is to improve the quality of life for our constituents, family and friends. We pray for the safe return of all the brave men and women serving our country. We thank You for this opportunity to serve, for the many privileges we enjoy and for the guidance You give us. In Jesus’ name we pray. Amen.”

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Rep. Booher moved that Reps. Ball and Pastor be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 5808, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi, Caswell, Shaffer, Brandenburg, Amos, Booher, Hansen and Moss

Nays: None

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 5809, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade and Vagnozzi

Nays: Reps. Acciavatti, Brandenburg, Booher, Proos, Agema and Moss

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

**House Bill No. 5810, entitled**

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe

the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade and Vagnozzi

Nays: Rep. Amos

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### **House Bill No. 5814, entitled**

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009 to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade and Vagnozzi

Nays: None

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### **House Bill No. 5816, entitled**

A bill to make, appropriations for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade and Vagnozzi

Nays: None

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

#### **Senate Bill No. 1157, entitled**

A bill to amend 1960 PA 77, entitled "An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to

prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students' loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority," (MCL 390.951 to 390.961) by adding section 7b; 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.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema and Moss

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 19, 2008

Present: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

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

#### **Senate Bill No. 716, entitled**

A bill to amend 2004 PA 47, entitled "Medical records access act," by amending section 3 (MCL 333.26263).

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. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Valentine, Wojno, Johnson, Gaffney, Hune, Marleau, Green, Calley, Robertson and Moore

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 20, 2008

Present: Reps. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Valentine, Wojno, Johnson, Gaffney, Hune, Marleau, Green, Calley, Robertson and Moore

Absent: Reps. Robert Jones and Ball

Excused: Reps. Robert Jones and Ball

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

#### **House Bill No. 5895, 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 2 (MCL 207.552), as amended by 2007 PA 146.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga and Hildenbrand  
Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

#### **House Bill No. 5896, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9f (MCL 211.9f), as amended by 2007 PA 116.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga and Hildenbrand  
Nays: None

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

#### **Senate Bill No. 1115, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431a.

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. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga and Hildenbrand  
Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, March 20, 2008

Present: Reps. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga and Hildenbrand

Absent: Reps. Garfield and Pastor

Excused: Reps. Garfield and Pastor

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

#### **House Bill No. 5695, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 720 (MCL 257.720), as amended by 2003 PA 142.

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. Hopgood, Griffin, Accavitti, Donigan, Ebli, Leland, Mayes, Miller, LaJoy, Casperson, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 20, 2008

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 20, 2008

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

Absent: Rep. Knollenberg

Excused: Rep. Knollenberg

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Virgil Smith, Chair, of the Committee on Insurance, was received and read:

Meeting held on: Thursday, March 20, 2008

Present: Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Hune, Emmons, Hildenbrand, David Law, Moore, Rocca and Gaffney

The Speaker laid before the House

**House Resolution No. 306.**

A resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

(For text of resolution, see House Journal No. 27, p. 542.)

(The resolution was reported by the Committee on Banking and Financial Services on March 19, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Concurrent Resolution No. 78.**

A concurrent resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

(For text of concurrent resolution, see House Journal No. 27, p. 544.)

(The concurrent resolution was reported by the Committee on Banking and Financial Services on March 19, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5289, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 2c.

(The bill was received from the Senate on February 27, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 28, see House Journal No. 19, p. 348.)

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. 206****Yeas—107**

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

**Nays—0**

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5861, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize

the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 11e and 11f (MCL 247.661e and 247.661f), section 11e as amended by 2007 PA 26 and section 11f as amended by 2007 PA 27.

(The bill was received from the Senate on March 19, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 28, p. 574.)

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. 207

#### Yeas—106

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	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	Spade
Casperson	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
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
DeRoche	Jones, Robert	Pavlov	Young
Dillon	Knollenberg		

#### Nays—1

Caswell

In The Chair: Sak

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



### Second Reading of Bills

#### House Bill No. 4260, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2005 PA 106.

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

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

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

The motion prevailed.

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

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

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Rep. Virgil Smith entered the House Chambers.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4260, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2005 PA 106.

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

#### Roll Call No. 208

#### Yeas—108

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

Coulouris  
Cushingberry  
Dean  
DeRoche

Jackson  
Johnson  
Jones, Rick  
Jones, Robert

Opsommer  
Palmer  
Palsrok  
Pavlov

Warren  
Wenke  
Wojno  
Young

### Nays—0

In The Chair: Sak

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

### Second Reading of Bills

#### House Bill No. 4602, entitled

A bill to amend 1988 PA 418, entitled “Uniform statutory rule against perpetuities,” by amending the title and sections 1, 2, and 5 (MCL 554.71, 554.72, and 554.75).

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

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

Rep. Schuitmaker 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. 4602, entitled

A bill to amend 1988 PA 418, entitled “Uniform statutory rule against perpetuities,” by amending the title and sections 1, 2, and 5 (MCL 554.71, 554.72, and 554.75).

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

### Roll Call No. 209

### Yeas—104

Accavitti  
Acciavatti  
Amos  
Angerer  
Bauer  
Bennett  
Bieda  
Booher  
Brown  
Byrnes  
Byrum  
Calley  
Casperson  
Caswell  
Caul

Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Garfield  
Gillard  
Gonzales  
Green  
Griffin  
Hammel  
Hammon  
Hansen

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meadows  
Meekhof  
Meisner

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheltrown  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade  
Stahl

Cheeks	Hildenbrand	Melton	Stakoe
Clack	Hood	Meltzer	Steil
Clemente	Hoogendyk	Miller	Tobocman
Condino	Hopgood	Moolenaar	Vagnozzi
Constan	Horn	Moore	Valentine
Corriveau	Huizenga	Moss	Walker
Coulouris	Hune	Nitz	Ward
Cushingberry	Jackson	Nofs	Warren
Dean	Johnson	Opsommer	Wenke
DeRoche	Jones, Rick	Palsrok	Wojno
Dillon	Jones, Robert	Pavlov	Young

#### Nays—4

Agema	Brandenburg	Palmer	Sheen
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In The Chair: Sak

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

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

A bill to amend 1988 PA 418, entitled “Uniform statutory rule against perpetuities,” by amending sections 2 and 5 (MCL 554.72 and 554.75).

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. 5089, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16 of chapter X (MCL 770.16), as amended by 2005 PA 4.

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. Condino moved to amend the bill as follows:

1. Amend page 4, line 22, after “her” by striking out “trial” and inserting “PROSECUTION”.

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

Rep. Condino 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. 5089, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16 of chapter X (MCL 770.16), as amended by 2005 PA 4.

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

**Roll Call No. 210****Yeas—106**

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

**Nays—2**

Elsenheimer                      Opsommer

In The Chair: Sak

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****Senate Bill No. 351, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 4 (MCL 252.304), as amended by 2006 PA 448.

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 House Journal No. 121 of 2007, p. 2259),

The amendment was not adopted, a majority of the members serving not 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. 351, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 4 (MCL 252.304), as amended by 2006 PA 448.

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

**Roll Call No. 211**

**Yeas—82**

Accavitti	Donigan	Law, David	Polidori
Amos	Ebli	Law, Kathleen	Proos
Angerer	Elsenheimer	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrar	Lemmons	Schuitmaker
Bieda	Gillard	Lindberg	Scott
Booher	Gonzales	Marleau	Shaffer
Brown	Griffin	Mayes	Sheltrown
Byrnes	Hammel	McDowell	Simpson
Byrum	Hammon	Meadows	Smith, Alma
Casperson	Hansen	Meekhof	Smith, Virgil
Cheeks	Hildenbrand	Meisner	Spade
Clack	Hood	Melton	Steil
Clemente	Hopgood	Miller	Tobocman
Condino	Horn	Moore	Vagnozzi
Constan	Jackson	Moss	Valentine
Corriveau	Johnson	Nitz	Walker
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pavlov	Wojno
Dean	Knollenberg	Pearce	Young
Dillon	LaJoy		

**Nays—25**

Acciavatti	Emmons	Hune	Palmer
Agema	Gaffney	Lahti	Robertson
Brandenburg	Garfield	Meltzer	Sheen
Calley	Green	Moolenaar	Stahl
Caswell	Hoogendyk	Nofs	Stakoe
Caul	Huizenga	Opsommer	Ward
DeRoche			

In The Chair: Sak

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

"An act to provide for the licensing, regulation, control, and prohibition of outdoor advertising adjacent to certain roads and highways; to prescribe powers and duties of certain state agencies and officials; to promulgate rules; to provide remedies and prescribe penalties for violations; and to repeal acts and parts of acts,"

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 47, entitled

A bill to provide for the establishment of a water improvement tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in water resources; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote water resource improvement; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

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

Rep. Melton moved to amend the bill as follows:

1. Amend page 6, line 19, by striking out all of subdivision (h) and inserting:

“(h) “Water resource improvement district” or “district” means 1 or both of the following:

(i) An inland body of water and land that is up to 1 mile from the shoreline of an inland lake that contains 1 or more public access points.

(ii) An inland body of water and parcels of land that are contiguous to the shoreline of an inland lake that does not contain a public access point.”.

The motion prevailed and the amendment 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. 47, entitled

A bill to provide for the establishment of a water improvement tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in water resources; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote water resource improvement; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

#### Roll Call No. 212

#### Yeas—106

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

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

### Nays—2

Hune

Ward

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### Senate Bill No. 120, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 14j.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 120, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 14j.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman 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

Rep. Tobocman moved that the Committee on Agriculture be discharged from further consideration of **Senate Bill No. 885**.

(For first notice see House Journal No. 28, p. 576.)

The question being on the motion made by Rep. Tobocman,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 885, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8d, 8e, 9, and 10 (MCL 125.2688d, 125.2688e, 125.2689, and 125.2690), section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and section 10 as amended by 2005 PA 164.

The bill was read a second time.

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

1. Amend page 15, line 19, by striking out all of enacting section 1.

The motion prevailed and the amendment 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. 885, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8d, 8e, 9, and 10 (MCL 125.2688d, 125.2688e, 125.2689, and 125.2690), section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and section 10 as amended by 2005 PA 164.

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

#### Roll Call No. 213

#### Yeas—108

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



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
DeRoche	Jones, Robert	Pavlov	Young

### Nays—0

In The Chair: Sak

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 1115, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431a.

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

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

Rep. 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. 1115, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431a.

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

### Roll Call No. 214

### Yeas—107

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Donigan	LaJoy	Proos
Agema	Ebli	Law, David	Robertson

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

### Nays—1

Garfield

In The Chair: Sak

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

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

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

#### House Bill No. 5600, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 3, 4, 8a, 8d, 8e, and 10 (MCL 125.2683, 125.2684, 125.2688a, 125.2688d, 125.2688e, and 125.2690), section 3 as amended by 2006 PA 304, section 4 as amended by 2006 PA 440, section 8a as amended by 2006 PA 476, section 8d as amended by 2006 PA 93, section 8e as added by 2006 PA 270, and section 10 as amended by 2007 PA 186.

The 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 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements;

to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending sections 4, 8a, and 12 (MCL 125.2684, 125.2688a, and 125.2692), section 4 as amended by 2006 PA 440, section 8a as amended by 2006 PA 476, and section 12 as amended by 2002 PA 745.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 215

### Yeas—108

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

### Nays—0

In The Chair: Sak

The House agreed to the title as amended.

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

### House Bill No. 5852, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” (MCL 32.501 to 32.851) by adding section 337.

The Senate has amended the bill as follows:

1. Amend page 2, line 3, after “USC” by striking out “2557” and inserting “2257”.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 216**

**Yeas—107**

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

**Nays—1**

Garfield

In The Chair: Sak

The House agreed to the full title.

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

**House Bill No. 5854, entitled**

A bill to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” (MCL 247.801 to 247.816) by adding section 6b.

The Senate has amended the bill as follows:

1. Amend page 2, line 5, after “USC” by striking out “2557” and inserting “2257”.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

The question being on concurring in the 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. 217****Yeas—108**

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

**Nays—0**

In The Chair: Sak

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

**House Bill No. 5858, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 431c.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 218****Yeas—107**

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

**Nays—1**

Garfield

In The Chair: Sak

The House agreed to the full title.

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

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

“Mr. Speaker and members of the House:

As I spoke to in committee and on the floor previously. A 5% tax cut for anchor companies is not enough of a significant tax cut. I previously asked for a 21.99% tax cut. Which is the amount of the tax surcharge recently enacted.”

**House Bill No. 5511, entitled**

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

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

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 219****Yeas—106**

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

**Nays—2**

Caswell

Meltzer

In The Chair: Sak

The House agreed to the full title.

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

**Second Reading of Bills****Senate Bill No. 105, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8511 and 8513 (MCL 600.8511 and 600.8513), section 8511 as amended by 1999 PA 75 and section 8513 as added by 1984 PA 278.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

Rep. Byrnes moved that Rep. Gillard 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. 105, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8511 and 8513 (MCL 600.8511 and 600.8513), section 8511 as amended by 1999 PA 75 and section 8513 as added by 1984 PA 278.

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

#### Roll Call No. 220

#### Yeas—104

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

#### Nays—3

Calley

DeRoche

Garfield

In The Chair: Sak



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

“An act to revise 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. Angerer moved that the bill be given immediate effect.

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

### Second Reading of Bills

#### House Bill No. 5810, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

The motion prevailed.

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

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

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Rep. Meekhof moved that Reps. Meltzer and Wenke 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. 5810, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

#### Roll Call No. 221

#### Yeas—65

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Rocca
Bauer	Dillon	Lahti	Sak
Bennett	Donigan	Law, Kathleen	Scott
Bieda	Ebli	LeBlanc	Sheltrown
Brown	Espinoza	Leland	Simpson
Byrnes	Farrah	Lemmons	Smith, Alma
Byrum	Gaffney	Lindberg	Smith, Virgil
Casperson	Gillard	Mayes	Spade

Caswell	Gonzales	McDowell	Tobocman
Cheeks	Griffin	Meadows	Vagnozzi
Clack	Hammel	Meisner	Valentine
Clemente	Hammon	Melton	Walker
Condino	Hood	Miller	Warren
Constan	Hopgood	Moore	Wojno
Corriveau	Jackson	Nofs	Young
Coulouris			

### Nays—41

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Schuitmaker, 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:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the \$1.4 billion tax hike as well as several one-time funding gimmicks which I did not support. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

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

### Second Reading of Bills

#### House Bill No. 5811, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies;

to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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. Acciavatti moved to amend the bill as follows:

1. Amend page 29, following line 10, by inserting:

“Sec. 242. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Acciavatti demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 222

### Yeas—74

Acciavatti	Dillon	Law, David	Polidori
Agema	Donigan	Marleau	Proos
Amos	Ebli	Mayes	Robertson
Angerer	Elsenheimer	Meekhof	Rocca
Bieda	Emmons	Meisner	Sak
Booher	Gaffney	Melton	Schuitmaker
Brandenburg	Garfield	Meltzer	Shaffer
Brown	Green	Miller	Sheen
Byrum	Griffin	Moolenaar	Sheltrown
Calley	Hammon	Moore	Simpson
Casperson	Hansen	Moss	Spade
Caswell	Hildenbrand	Nitz	Stahl
Caul	Hoogendyk	Nofs	Stakoe
Clemente	Horn	Opsommer	Steil
Constan	Huizenga	Palmer	Valentine
Corriveau	Hune	Palsrok	Walker
Coulouris	Jones, Rick	Pavlov	Ward
Dean	Knollenberg	Pearce	Wojno
DeRoche	LaJoy		

### Nays—33

Accavitti	Farrah	Jones, Robert	Meadows
Bauer	Gillard	Lahti	Scott
Bennett	Gonzales	Law, Kathleen	Smith, Alma
Byrnes	Hammel	LeBlanc	Smith, Virgil
Cheeks	Hood	Leland	Tobocman
Clack	Hopgood	Lemmons	Vagnozzi
Condino	Jackson	Lindberg	Warren
Cushingberry	Johnson	McDowell	Young
Espinoza			

In The Chair: Sak

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

“Mr. Speaker and members of the House:

What is user friendly? Our Michigan.gov already provides all contracts, the costs of purchasing all goods and services, and the detailed budget information. What is it that we are not providing? Are we awarding laziness because we want to act like we have miraculously added something to the mix? At what cost do we play with this so called transparency when we can never make a system work for every person any way? What specifically has someone tried to accomplish on line and couldn’t get the system to provide? Probably nothing.

So this amendment winds up causing additional costs so some us can grandstand about something no one requested in the community in the first place and causes concern unnecessarily.

Welcome to the term limited 94th legislature.”

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

1. Amend page 10, following line 27, by inserting:

“Parole absconder sweeps ..... \$ 1,000,000”.

2. Amend page 11, line 14, by striking out “28,901,500” and inserting “29,901,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. LeBlanc moved to amend the bill as follows:

1. Amend page 29, following line 10, by inserting:

“Sec. 243. From the funds appropriated in part 1, the department shall not spend more than \$25,000.00 to implement section 242 and shall not cause essential services to be diminished.”.

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

Rep. Tobocman moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. Rick Jones.

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

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

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

Rep. LeBlanc 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. 5811, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

**Roll Call No. 223**

**Yeas—106**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	Law, Kathleen	Robertson
Angerer	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
Cheeks	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	Ward
Cushingberry	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pavlov	Young
Dillon	Knollenberg		

### Nays—1

Caul

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### House Bill No. 5812, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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. Acciavatti moved to amend the bill as follows:

1. Amend page 19, following line 4, by inserting:

“Sec. 235. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Moore moved to amend the bill as follows:

1. Amend page 4, line 24, by striking out “912,600” and inserting “940,000”.

2. Amend page 4, line 25, by striking out “754,400” and inserting “777,000”.

3. Amend page 4, line 26, by striking out “346,400” and inserting “356,800”.

4. Amend page 4, line 27, by striking out “478,700” and inserting “493,100”.
5. Amend page 5, line 1, by striking out “912,600” and inserting “940,000”.
6. Amend page 5, line 2, by striking out “170,700” and inserting “175,800”.
7. Amend page 5, line 3, by striking out “162,600” and inserting “167,500”.
8. Amend page 5, line 5, by striking out “42,400” and inserting “43,700”.
9. Amend page 5, line 6, by striking out “42,400” and inserting “43,700”.
10. Amend page 5, line 8, by striking out “164,300” and inserting “169,200”.
11. Amend page 5, line 9, by striking out “42,400” and inserting “43,700”.
12. Amend page 5, line 12, by striking out “4,029,600” and inserting “4,150,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. LeBlanc moved to amend the bill as follows:

1. Amend page 19, following line 23, by inserting:

“(3) The department shall take steps to ensure that at least 75% of the participants in the ChalleNGe program are members of families with incomes at or below 200% of the federal poverty level.”.

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

Rep. Tobocman moved to reconsider the vote by which the House adopted the amendment offered by Rep. LeBlanc.

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

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

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

Rep. LeBlanc moved to amend the bill as follows:

1. Amend page 19, following line 4, by inserting:

“Sec. 236. From the funds appropriated in part 1, the department shall not spend more than \$25,000.00 to implement section 235 and shall not cause essential services to be diminished.”.

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

Rep. LeBlanc 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. 5812, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

#### **Roll Call No. 224**

#### **Yeas—107**

Accavitti	Dillon	Knollenberg	Pearce
Acciavatti	Donigan	Lahti	Polidori
Agema	Ebli	LaJoy	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	Law, Kathleen	Rocca
Bauer	Espinoza	LeBlanc	Sak
Bennett	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheen

Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Smith, Virgil
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Cheeks	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wojno
Dean	Jones, Rick	Palsrok	Young
DeRoche	Jones, Robert	Pavlov	

### Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Second Reading of Bills

#### House Bill No. 5809, entitled

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

Reps. Hune, Palmer and Sheen moved to amend the bill as follows:

1. Amend page 34, following line 9, by inserting:

“Sec. 378. Newly created civil service positions within the Office of Financial and Insurance Regulation (OFIR) shall be filled by qualified personnel and shall not be duplicative of efforts currently overseen by the commissioner of OFIR.”.

The question being on the adoption of the amendment offered by Reps. Hune, Palmer and Sheen,

Rep. Hune demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Hune, Palmer and Sheen,

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

### Roll Call No. 225

### Yeas—64

Acciavatti	Dillon	Lahti	Proos
Agema	Ebli	LaJoy	Robertson

Amos	Elsenheimer	Law, David	Rocca
Angerer	Emmons	Marleau	Sak
Bieda	Gaffney	Meekhof	Schuitmaker
Booher	Garfield	Meltzer	Shaffer
Brandenburg	Green	Moolenaar	Sheen
Brown	Griffin	Moore	Sheltrown
Byrum	Hansen	Moss	Simpson
Calley	Hildenbrand	Nitz	Spade
Casperson	Hoogendyk	Nofs	Stahl
Caswell	Horn	Opsommer	Stakoe
Caul	Huizenga	Palmer	Steil
Corriveau	Hune	Palsrok	Valentine
Dean	Jones, Rick	Pavlov	Walker
DeRoche	Knollenberg	Pearce	Ward

**Nays—43**

Accavitti	Donigan	Jones, Robert	Miller
Bauer	Espinoza	Law, Kathleen	Polidori
Bennett	Farrah	LeBlanc	Scott
Byrnes	Gillard	Leland	Smith, Alma
Cheeks	Gonzales	Lemmons	Smith, Virgil
Clack	Hammel	Lindberg	Tobocman
Clemente	Hammon	Mayes	Vagnozzi
Condino	Hood	McDowell	Warren
Constan	Hopgood	Meadows	Wojno
Coulouris	Jackson	Meisner	Young
Cushingberry	Johnson	Melton	

In The Chair: Sak

Reps. Pavlov and Amos moved to amend the bill as follows:

1. Amend page 48, following line 21, by inserting:

“(8) As a condition of receiving funds appropriated in part 1, local Michigan works! agencies shall not provide service under the no-worker-left-behind program to any individual that cannot prove their legal residency in the state of Michigan.”.

The question being on the adoption of the amendment offered by Reps. Pavlov and Amos,

Rep. Pavlov demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Pavlov and Amos,

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

**Roll Call No. 226****Yeas—94**

Accavitti	DeRoche	Jones, Robert	Palsrok
Acciavatti	Dillon	Knollenberg	Pavlov
Agema	Donigan	Lahti	Pearce
Amos	Ebli	LaJoy	Polidori
Angerer	Elsenheimer	Law, David	Proos
Bauer	Emmons	LeBlanc	Robertson
Bennett	Espinoza	Leland	Rocca
Bieda	Farrah	Lindberg	Sak
Booher	Gaffney	Marleau	Schuitmaker



Brandenburg	Garfield	Mayes	Scott
Brown	Gonzales	McDowell	Shaffer
Byrnes	Green	Meekhof	Sheen
Byrum	Griffin	Meisner	Sheltrown
Calley	Hammel	Melton	Simpson
Casperson	Hammon	Meltzer	Smith, Virgil
Caswell	Hansen	Miller	Spade
Caul	Hildenbrand	Moolenaar	Stahl
Clack	Hood	Moore	Stakoe
Clemente	Hoogendyk	Moss	Steil
Condino	Hopgood	Nitz	Valentine
Constan	Horn	Nofs	Walker
Corriveau	Huizenga	Opsommer	Ward
Coulouris	Hune	Palmer	Wojno
Dean	Jones, Rick		

**Nays—12**

Cheeks	Johnson	Meadows	Vagnozzi
Cushingberry	Law, Kathleen	Smith, Alma	Warren
Jackson	Lemmons	Tobocman	Young

In The Chair: Sak

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

“Mr. Speaker and members of the House:

I voted against this amendment because the language is unclear and will create significant government waste as DLEG staff will have to try to serve as local federal immigration experts. There is no evidence that undocumented persons seek to use and/or abuse the No Worker Left Behind program. We should be focused on solving the state’s economic woes and not on politicking on immigration.”

Rep. Caswell moved to amend the bill as follows:

1. Amend page 46, line 16, after “careers.” by inserting “Of the funds available to provide adult basic education, remedial education or other training for postsecondary education the department shall expend no more than 50% of funds to enroll individuals within programs. The remaining funds shall only be expended by the department when individuals involved in the programs have achieved an increase in reading proficiency by 2 grade levels and/or have achieved a minimum of a 2 grade level improvement in mathematics proficiency.”.

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

Rep. Caswell demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 227****Yeas—63**

Acciavatti	Ebli	Law, David	Robertson
Agema	Elsenheimer	LeBlanc	Rocca
Amos	Emmons	Marleau	Sak
Booher	Gaffney	Meekhof	Schuitmaker

Brandenburg	Garfield	Meltzer	Scott
Brown	Green	Moolenaar	Shaffer
Byrum	Griffin	Moore	Sheen
Calley	Hansen	Moss	Simpson
Casperson	Hildenbrand	Nitz	Spade
Caswell	Hoogendyk	Opsommer	Stahl
Caul	Horn	Palmer	Stakoe
Clemente	Huizenga	Palsrok	Steil
Corriveau	Hune	Pavlov	Valentine
Dean	Jones, Rick	Pearce	Walker
DeRoche	Knollenberg	Polidori	Ward
Dillon	LaJoy	Proos	

**Nays—44**

Accavitti	Cushingberry	Johnson	Melton
Angerer	Donigan	Jones, Robert	Miller
Bauer	Espinoza	Lahti	Nofs
Bennett	Farrah	Law, Kathleen	Sheltrown
Bieda	Gillard	Leland	Smith, Alma
Byrnes	Gonzales	Lemmons	Smith, Virgil
Cheeks	Hammel	Lindberg	Tobocman
Clack	Hammon	Mayes	Vagnozzi
Condino	Hood	McDowell	Warren
Constan	Hopgood	Meadows	Wojno
Coulouris	Jackson	Meisner	Young

In The Chair: Sak

Rep. Knollenberg moved to amend the bill as follows:

1. Amend page 34, following line 1, by inserting:

“Sec. 371. The department and the Michigan State Housing Development Authority shall work collaboratively to ensure that no housing be provided to individuals illegally residing within the country.”.

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

Rep. Knollenberg demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 228****Yeas—79**

Accavitti	Ebli	Lahti	Pearce
Acciavatti	Elsenheimer	LaJoy	Polidori
Agema	Emmons	Law, David	Proos
Amos	Espinoza	LeBlanc	Robertson
Angerer	Farrah	Marleau	Rocca
Bieda	Gaffney	Mayes	Sak
Booher	Garfield	McDowell	Schuitmaker
Brandenburg	Green	Meadows	Shaffer
Brown	Griffin	Meekhof	Sheen
Byrum	Hammel	Meltzer	Sheltrown
Calley	Hammon	Miller	Simpson
Casperson	Hansen	Moolenaar	Spade

Caswell	Hildenbrand	Moore	Stahl
Caul	Hoogendyk	Moss	Stakoe
Clemente	Horn	Nitz	Steil
Corriveau	Huizenga	Nofs	Valentine
Dean	Hune	Opsommer	Walker
DeRoche	Jones, Rick	Palmer	Ward
Dillon	Jones, Robert	Palsrok	Wojno
Donigan	Knollenberg	Pavlov	

### Nays—28

Bauer	Coulouris	Johnson	Scott
Bennett	Cushingberry	Law, Kathleen	Smith, Alma
Byrnes	Gillard	Leland	Smith, Virgil
Cheeks	Gonzales	Lemmons	Tobocman
Clack	Hood	Lindberg	Vagnozzi
Condino	Hopgood	Meisner	Warren
Constan	Jackson	Melton	Young

In The Chair: Sak

Rep. Amos moved to amend the bill as follows:

1. Amend page 26, following line 2, by inserting:

“Sec. 224. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section.”.

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

Rep. Hammel moved to amend the bill as follows:

1. Amend page 7, line 19, by striking out “4,352,500” and inserting “4,352,600”.

2. Amend page 7, line 26, by striking out “49,561,800” and inserting “49,561,900” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Hammel moved to amend the bill as follows:

1. Amend page 26, following line 2, by inserting:

“Sec. 225. From the funds appropriated in part 1, the department shall not spend more than \$25,000.00 to implement section 224 and shall not cause essential services to be diminished.”.

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

Rep. Vagnozzi moved to reconsider the vote by which the House adopted the amendment offered by Rep. Hammel.

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

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

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

Rep. Tobocman moved to reconsider the vote by which the House adopted the substitute (H-3) previously recommended by the Committee on Appropriations.

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

The question being on the adoption of the substitute (H-3) previously recommended by the Committee on Appropriations,

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

Rep. Hammel 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. 5809, entitled**

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The bill was read a third time.

The question being on the passage of the bill,

Reps. Knollenberg and Pavlov moved to amend the bill as follows:

1. Amend page 17, following line 19, by inserting:

“Sec. 200. (1) The department and the Michigan State Housing Development Authority shall work collaboratively to ensure that no housing be provided to individuals illegally residing within the country.

(2) As a condition of receiving funds appropriated in part 1, local Michigan works! agencies shall not provide service under the no-worker-left-behind program to any individual that cannot prove their legal residency in the state of Michigan.

(3) From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made. The department shall not be required to hire additional employees to comply with this section.”.

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

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

Reps. Knollenberg and Pavlov moved to amend the bill as follows:

1. Amend page 17, following line 21, by inserting:

“Sec. 200. (1) The department and the Michigan State Housing Development Authority shall work collaboratively to ensure that no housing be provided to individuals illegally residing within the country.

(2) As a condition of receiving funds appropriated in part 1, local Michigan works! agencies shall not provide service under the no-worker-left-behind program to any individual that cannot prove their legal residency in the state of Michigan.”.

The motion was seconded and the amendment was 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. 229**

**Yeas—59**

Accavitti	Cushingberry	Johnson	Rocca
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayer	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine

Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson	Polidori	

**Nays—48**

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

In The Chair: Sak

The House agreed to the title of the bill.

Reps. Meekhof and Calley, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the Democrats’ \$1.4 billion tax hike as well as several one-time funding gimmicks. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House Democrat budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

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

Rep. Schuitmaker, 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:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the \$1.4 billion tax hike as well as several one-time funding gimmicks which I did not support. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

For these reasons and the fact that the H5 was gaveled upon and we were unable to view it prior to voting, I cannot support this bill at this time.”

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:

The final bill was presented with no chance to read it or know what was in it. In addition, \$40 million of revenue is based on bond refinancing and we have not been told any details of that even though I have repeatedly asked.”

Rep. Moore, 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’t vote for a bill that the majority party allows us 2 minutes to read a 51 page substitute. The original version had a 106% increase in GF dollars. As a state we can’t afford this.”

Rep. Palsrok, 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 support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the Democrats’ \$1.4 billion tax hike as well as several one-time funding gimmicks. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House Democrat budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

Furthermore, once again a substitute was submitted at the last moment. Members were not afforded the opportunity to review the contents of the substitute. Therefore, I am further resolved in my opposition, not only in the substance of the bill but in the process in which it was passed.

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

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

“Mr. Speaker and members of the House:

House leadership failed to allow adequate time for study of this bill. One minute to study an appropriation bill is completely irresponsible and inadequate. Due to that short period to scrutinize HB 5809 I must vote no.”

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. 230

### Yeas—59

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

Constan  
Corriveau  
Coulouris

Hood  
Hopgood  
Jackson

Melton  
Miller  
Polidori

Wojno  
Young

### Nays—48

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

Gaffney  
Garfield  
Green  
Hansen  
Hildenbrand  
Hoogendyk  
Horn  
Huizenga  
Hune  
Jones, Rick  
Knollenberg  
LaJoy

Law, David  
Marleau  
Meekhof  
Meltzer  
Moolenaar  
Moore  
Moss  
Nitz  
Nofs  
Opsommer  
Palmer  
Palsrok

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

In The Chair: Sak

### Second Reading of Bills

#### House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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. Agema moved to amend the bill as follows:

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

“Sec. 229. From the funds appropriated in part 1, the department shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within the fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Elsenheimer moved to amend the bill as follows:

1. Amend page 30, following line 2, by inserting:

“Sec. 395. From the funds appropriated in part 1, the department shall assume jurisdiction of county road C-56 between US 31 at Charlevoix and M-75 at Boyne city in Charlevoix County.”.

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 21, line 10, after “comments.” by inserting “A bridge authority shall not charge tolls to any vehicles belonging to the military forces of the United States, or to the National Guard vehicles, any active-duty member of the military forces of the United States, or of the National Guard, or any person retired from military services of the United States.”.

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 231****Yeas—98**

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

**Nays—9**

Cheeks	Lemmons	Meadows	Vagnozzi
Cushingberry	Lindberg	Smith, Alma	Warren
Gillard			

In The Chair: Sak

Rep. Gonzales moved to amend the bill as follows:

1. Amend page 29, line 23, by striking out all of section 394.

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 6, line 11, by striking out "\$28,496,200" and inserting "\$18,496,200".

2. Amend page 6, line 12, by striking out "\$28,496,200" and inserting "\$18,496,200".

3. Amend page 6, line 22, by striking out "\$27,342,700" and inserting "\$17,342,700".

4. Amend page 8, line 26, by striking out "\$33,000,000" and inserting "\$43,000,000".

5. Amend page 9, line 4, by striking out "\$2,348,557,700" and inserting "\$2,358,557,700".

6. Amend page 9, line 13, by striking out "\$113,529,900" and inserting "\$113,529,900" and amending the subtotals, totals, and section 201 accordingly.

7. Amend page 42, following line 21, by inserting:

"Sec. 743. It is the intent of the legislature that of the appropriation for grants to local programs in section 111 of part 1, \$10,000,000.00 is designated for mitigation of road surface distress caused by the severity of the 2007-2008 winter season."

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



Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 30, following line 2, by inserting:

“Sec. 395. It is the intent of the legislature that in reviewing applications for grants under the target industries program of the transportation economic development fund established under 1987 PA 231 the department give priority to projects that support new or expanded solar component manufacturing.”.

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

Rep. Gonzales moved to amend the bill as follows:

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

“Sec. 230. From the funds appropriated in part 1, the department shall not spend more than \$25,000.00 to implement section 229 and shall not cause essential services to be diminished.”.

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

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 41, following line 22, by inserting:

“Sec. 733. Of the funds in section 117 for the Detroit Wayne County port authority, \$500,000.00 shall be used to support enhanced inspection of imported products entering the port of Detroit. Enhanced inspection of imported products is intended to provide additional assurance that those products meet United States product safety standards and are not contaminated, adulterated, harmful, or a threat to border security.”.

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

Rep. Pavlov demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 232

### Yeas—73

Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Amos	Emmons	LeBlanc	Robertson
Angerer	Espinoza	Marleau	Rocca
Bieda	Gaffney	Mayes	Sak
Booher	Garfield	Meekhof	Schuitmaker
Brandenburg	Green	Meltzer	Shaffer
Brown	Griffin	Miller	Sheen
Byrum	Hammel	Moolenaar	Sheltrown
Calley	Hammon	Moore	Simpson
Casperson	Hansen	Moss	Spade
Caswell	Hildenbrand	Nitz	Stahl
Caul	Hoogendyk	Nofs	Stakoe
Clemente	Horn	Opsommer	Steil
Corriveau	Huizenga	Palmer	Valentine
Coulouris	Hune	Palsrok	Walker
Dean	Jones, Rick	Pavlov	Ward
DeRoche	Knollenberg	Pearce	Wojno
Dillon			

### Nays—34

Accavitti	Donigan	Lahti	Melton
Bauer	Farrah	Law, Kathleen	Scott
Bennett	Gillard	Leland	Smith, Alma
Byrnes	Gonzales	Lemmons	Smith, Virgil
Cheeks	Hood	Lindberg	Tobocman
Clack	Hopgood	McDowell	Vagnozzi

Condino  
Constan  
Cushingberry

Jackson  
Johnson  
Jones, Robert

Meadows  
Meisner

Warren  
Young

In The Chair: Sak

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

“Mr. Speaker and members of the House:

Heaven forbid if the maker of this amendment were running homeland security for our state or the southeast Michigan. Asking the Detroit Wayne County Port Authority to take needed economic development dollars and try to engage in security and safety operations is like asking the MEDC to do the job of the CIA, FBI, Customs, of Homeland Security. Dollars for economic development are sorely needed now in Michigan and, if we want additional security, we should allocate funds to security agencies, not economic development ones.”

Rep. Gonzales 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. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The bill was read a third time.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

Rep. Gonzales moved to amend the bill as follows:

1. Amend page 29, line 23, by striking out all of section 394.

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

The question being on the passage of the bill,

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

#### Roll Call No. 233

#### Yeas—57

Accavitti  
Angerer  
Bauer  
Bennett  
Bieda  
Brown  
Byrnes  
Byrum  
Cheeks  
Clack

Cushingberry  
Dean  
Dillon  
Donigan  
Ebli  
Espinoza  
Farrah  
Gillard  
Gonzales  
Griffin

Jackson  
Johnson  
Jones, Robert  
Lahti  
Law, Kathleen  
LeBlanc  
Lemmons  
Lindberg  
Mayes  
McDowell

Polidori  
Rocca  
Sak  
Scott  
Simpson  
Smith, Alma  
Smith, Virgil  
Spade  
Tobocman  
Vagnozzi

Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris			

### Nays—50

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

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Schuitmaker, 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:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the \$1.4 billion tax hike as well as several one-time funding gimmicks which I did not support. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

For these reasons and the fact that the H5 was gaveled upon and we were unable to view it prior to voting, I cannot support this bill at this time.”

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:

A last minute substitute was adopted and I have no idea what I’m voting for, so I can’t vote yes.”

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:

Common sense- when we vet out a budget and it is substituted at the last minute with another budget and we don’t know what’s in it- you vote No. I didn’t come to Lansing to vote on things that aren’t explained or written with adequate time to determine their merit. This is why Lansing is broken.”

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. 234**

**Yeas—58**

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

**Nays—48**

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

In The Chair: Sak

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

The motion prevailed.

**Second Reading of Bills**

**House Bill No. 5344, entitled**

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

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. Acciavatti moved to amend the bill as follows:

1. Amend page 16, following line 12, by inserting:

“Sec. 203. From the funds appropriated in part 1, each state department or agency shall develop, post, and maintain, on a publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 14, following line 17, by inserting:

“(3) TRANSPORTATION ECONOMIC DEVELOPMENT

Urban county congestion.....	3,250,000
Rural county primary.....	3,250,000
GROSS APPROPRIATION .....	\$ <u>6,500,000</u>

Appropriated from:

Special revenue funds:

Economic development fund .....	6,500,000
State general fund/general purpose .....	\$ 0”

and adjust the subtotals, totals, and section 201 accordingly.

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

Rep. Booher moved to amend the bill as follows:

1. Amend page 10, line 9, by striking out all of line 9 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 19, line 19, by striking out all of section 451.

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

Rep. Booher demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 235**

**Yeas—42**

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

**Nays—64**

Accavitti	Cushingberry	Jones, Robert	Palsrok
Angerer	Dean	Lahti	Polidori
Bauer	Dillon	Law, David	Rocca
Bennett	Donigan	Law, Kathleen	Sak
Bieda	Ebli	LeBlanc	Scott

Brandenburg	Espinoza	Leland	Sheltrown
Brown	Farrah	Lemmons	Simpson
Byrnes	Gillard	Lindberg	Smith, Alma
Byrum	Gonzales	Mayer	Smith, Virgil
Cheeks	Griffin	McDowell	Spade
Clack	Hammel	Meadows	Tobocman
Clemente	Hammon	Meisner	Vagnozzi
Condino	Hood	Melton	Valentine
Constan	Hopgood	Miller	Warren
Corriveau	Jackson	Moore	Wojno
Coulouris	Johnson	Nofs	Young

In The Chair: Sak

Rep. Robertson moved to amend the bill as follows:

1. Amend page 35, following line 24, by inserting:

“Sec. 614. It is the intent of the legislature that, if the city of Detroit remains in noncompliance in submitting financial reports to the department of treasury beyond June 1, 2008, the February 2008 revenue sharing payment being withheld from the city shall be unappropriated for revenue sharing payments to the city of Detroit and a portion shall be reappropriated for special census revenue sharing payments to local units of government.”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not 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. 5344, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Cushingberry moved to substitute (H-8) the bill.

The motion was seconded and the substitute (H-8) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

#### Roll Call No. 236

#### Yeas—61

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

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

### Nays—45

Acciavatti	Green	Marleau	Pearce
Agema	Hansen	Meekhof	Proos
Booher	Hildenbrand	Meltzer	Robertson
Brandenburg	Hoogendyk	Moolenaar	Schuitmaker
Calley	Horn	Moore	Shaffer
Casperson	Huizenga	Moss	Sheen
Caswell	Hune	Nitz	Stahl
Caul	Jones, Rick	Opsommer	Stakoe
DeRoche	Knollenberg	Palmer	Steil
Elsenheimer	LaJoy	Palsrok	Walker
Emmons	Law, David	Pavlov	Ward
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 make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; to provide for the expenditure of the appropriations; 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.

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Rep. Schuitmaker, 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:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the \$1.4 billion tax hike as well as several one-time funding gimmicks which I did not support. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

For these reasons and the fact that the bill was not on the system for me to read prior to voting, I cannot support this bill at this time.”

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:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the Democrats' \$1.4 billion tax hike as well as several one-time funding gimmicks. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor's proposed level of spending. The House Democrat budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

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

### Second Reading of Bills

#### House Bill No. 4965, entitled

A bill to authorize the state administrative board to convey certain interests in property in Kankaska county; and to provide for disposition of the revenue derived from the conveyance.

The bill was read a second time.

Rep. Walker moved to amend the bill as follows:

1. Amend page 1, line 3, by striking out "consideration of \$1.00" and inserting "fair market value as determined by the Clearwater township assessor or an independent appraiser".

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

Rep. Walker 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. 4965, entitled

A bill to authorize the state administrative board to convey certain interests in property in Kankaska county; and to provide for disposition of the revenue derived from the conveyance.

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

#### Roll Call No. 237

#### Yeas—105

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



Condino	Huizenga	Moss	Vagnozzi
Constan	Hune	Nitz	Valentine
Corriveau	Jackson	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Cushingberry	Jones, Rick	Palmer	Warren
Dean	Jones, Robert	Palsrok	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon			

### Nays—1

Gillard

In The Chair: Sak

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

### Second Reading of Bills

#### House Bill No. 5816, entitled

A bill to make, appropriations for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

Rep. Cheeks 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. 5816, entitled

A bill to make, appropriations for the departments of attorney general, civil rights, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

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

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

The question being on the passage of the bill,

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

**Roll Call No. 238**

**Yeas—58**

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

**Nays—48**

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

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 make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The motion prevailed.

The House agreed to the title as amended.

Rep. Schuitmaker, 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:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the \$1.4 billion tax hike as well as several one-time funding gimmicks which I did not support. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

For these reasons and the fact that our amendments were not recognized and the bill was not up on the computer and I was not recognized to speak, I cannot support this bill at this time.”

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

“Mr. Speaker and members of the House:

The revenue sharing formula expired on Dec. 31, 2007. Local Govts are facing ever limited financial resources. There needs to be more equity in the revenue sharing formula. When we have one City (the City of Detroit) that recieves over half of the overall funding - the rest of the State loses. In an amendment (that was gavel down) I proposed a revenue sharing formula based on a per capita basis - which would be a much more equitable solution.”

Rep. Palsrok, 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:

It is hard to understand why the majority party insists on denying members the ability to review legislation prior to holding a vote. Furthermore, it is inexcusable to deny members the ability to speak during ‘debate’. It would be much more constructive to the process if members were afforded our constitutional rights to speak to and debate issues prior to voting on legislation. The people of our great state deserve better and deserve to have their voices heard in this chamber.”

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:

The bill was substituted at the last minute and I had no idea what was in it. In addition, I was not allowed to speak on the bill. The majority is stifling debate because of their over spending which they don’t want anyone to address.”

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

“Mr. Speaker and members of the House:

This bill was substituted at the last minute and we were given no time time to read it, or were we given any chance to answer questions, or make amendments. This is another example of politics and government at it’s worse and why the Michigan Legislature is a blatant failure.”

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

“Mr. Speaker and members of the House:

No Vote Explanation FY 2008-2009 Budget

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the Democrats’ \$1.4 billion tax hike as well as several one-time funding gimmicks. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House Democrat budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

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

Rep. Calley, 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 support many programs in this budget, as a whole it has severe problems that need correcting. For example, it does not provide enough of an increase in revenue sharing. Furthermore, I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the Democrats’ \$1.4 billion tax hike as well as several one-time funding gimmicks. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House Democrat budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

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

Rep. Knollenberg 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 am voting no on HB 5816 because over half of the revenue sharing dollars will go to the City of Detroit . As Detroit continues to lose population and as it continues to engage in potential mismanagement at the mayoral level, I believe that a more equitable formula needs to be considered. In addition we should not be increasing funding for the legislative branch.”

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:

Not enough money goes to the locals. The Legislature should not get a raise, which it does and the revenue sharing for DTW is \$300 a person, while the average Mi. citizens get \$60. This is not right.”

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. 239

### Yeas—59

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

### Nays—47

Acciavatti	Garfield	Marleau	Pearce
Agema	Green	Meekhof	Proos

Booher	Hansen	Meltzer	Robertson
Brandenburg	Hildenbrand	Moolenaar	Rocca
Calley	Hoogendyk	Moore	Schuitmaker
Casperson	Horn	Moss	Shaffer
Caswell	Huizenga	Nitz	Sheen
Caul	Hune	Nofs	Stahl
DeRoche	Jones, Rick	Opsommer	Stakoe
Elsenheimer	Knollenberg	Palmer	Steil
Emmons	LaJoy	Palsrok	Walker
Gaffney	Law, David	Pavlov	

In The Chair: Sak

### Second Reading of Bills

Pending the Second Reading of

#### **House Bill No. 4233, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882 (MCL 333.2882), as amended by 2002 PA 691.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of

#### **House Bill No. 4052, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 108 (MCL 560.108), as added by 1996 PA 591.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House

#### **House Concurrent Resolution No. 62.**

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

(For text of concurrent resolution, see House Journal No. 133 of 2007, p. 2573.)

(The concurrent resolution was reported by the Committee on Retiree Health Care Reforms on January 31, with substitute (H-1), consideration of which, under the rules, was postponed until February 6.)

(For substitute, see House Journal No. 9, p. 105.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

Rep. Tobocman moved that the concurrent resolution be referred to the Committee on Oversight and Investigations.

The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

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

The motion prevailed.

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, April 8, at 1:30 p.m. The motion prevailed.

Reps. McDowell, Brandenburg, Cushingberry, Gonzales, Hammel, Hildenbrand, Marleau, Polidori, Tobocman, Valentine, Accavitti, Brown, Byrnes, Green, Hopgood, Johnson, LeBlanc, Leland, Miller, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Spade, Steil and Vagnozzi offered the following resolution:

**House Resolution No. 311.**

A resolution to recognize and declare the third week of March 2008 as Carbon Monoxide Awareness Week.

Whereas, Carbon monoxide is produced by furnaces, common household appliances, vehicles, generators, fireplaces, and other systems that are powered by the burning of fuel that includes, but is not limited to, natural gas, propane, gasoline, oil, and wood; and

Whereas, Carbon monoxide is a colorless, odorless, and tasteless poison gas that can be fatal when inhaled, and it is known as ‘the silent killer’ because it cannot be seen, smelled, or tasted; and

Whereas, Carbon monoxide is the leading cause of accidental poisoning deaths in the United States; and

Whereas, The *Journal of the American Medical Association* has determined that carbon monoxide claims more than 2,000 lives each year; and

Whereas, The American Association of Poison Control Centers reports that there are 40,000 emergency room visits from suspected carbon monoxide poisoning and 20,000 health-related injuries each year; and

Whereas, The Mayo clinic concludes that 51 percent of all carbon monoxide poisoning cases reported involve children six years of age and under; and

Whereas, The Consumer Product Safety Commission recognizes that older adults more frequently have pre-existing health conditions that affect the heart, lungs, and circulatory system, and the presence of one or more of these conditions lowers a victim’s tolerance and increases the risk of a fatal carbon monoxide exposure; and

Whereas, In 2001, 25 percent of the carbon monoxide poisoning deaths from home-related products were adults 65 years of age and older; and

Whereas, A January 2006 article in the *Journal of the American Medical Association* showed that for individuals who had been involved in carbon monoxide poisoning and survived, there was a three-fold increase in coronary artery disease seven years later when compared to patients who were not poisoned; and

Whereas, The Carbon Monoxide Health and Safety Association has determined that the combined medical cost of carbon monoxide accidents, lost productivity, and lost wages amounts to \$8.8 billion per year; and

Whereas, Public education and awareness about carbon monoxide poisoning are critical to protecting residents of Michigan from the dangers of this deadly gas and the risk factors in the home; and

Whereas, Carbon monoxide alarms prove to be the most effective way to detect carbon monoxide, and there is a dramatic correlation between carbon monoxide alarm ordinances in cities and lower death rates from carbon monoxide; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and declare the third week of March 2008 as Carbon Monoxide Awareness Week. We urge the State Fire Marshal, local fire departments, public schools, and all other interested persons or organizations to initiate awareness activities during that week to alert the general public to the dangers of carbon monoxide poisoning and ways to reduce the risk factors in their homes; and be it further

Resolved, That a copy of this resolution be transmitted to the State Fire Marshal and other interested parties as evidence of our concern and support of this critical issue.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Amos, Brandenburg, Casperson, Clemente, Cushingberry, Hammel, Hansen, Hildenbrand, Marleau, Pearce, Polidori, Tobocman, Valentine, Accavitti, Brown, Byrnes, Garfield, Green, Hopgood, Rick Jones, LaJoy, LeBlanc, Leland, Meekhof, Miller, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Spade, Steil and Vagnozzi offered the following resolution:

**House Resolution No. 312.**

A resolution proclaiming March 26, 2008, as Support Our Troops Day in the state of Michigan.

Whereas, It was through the brave and noble efforts of our forefathers that the United States of America first gained freedom and became a sovereign nation. Since the American Revolution, and throughout our country’s history, many wars have been fought; many battles have been waged; and many lives have been lost in order to protect our country and our cherished freedom; and

Whereas, In 1938, Congress proclaimed November 11th to be Armistice Day and in 1954, changed the name to Veterans' Day to honor all who have fought bravely in America's wars; and

Whereas, In 1868, General John Logan, national commander of the Grand Army of the Republic, officially proclaimed the 30th day of May to be Memorial Day, in honor of those fine men and women who have given their lives in noble service to our country; and

Whereas, In order to continually protect our cherished freedom, we must always maintain armed forces and be ever vigilant against threats to our nation. For this reason, thousands of American troops are currently stationed around the world on peacekeeping missions, as well as fighting the war on terror. They spend months and years away from family and friends. Moreover, these brave Americans put themselves in harm's way to keep us safe, knowing full-well they may be making the ultimate sacrifice; and

Whereas, Our active troops are remembered along with veterans on Memorial Day and Veterans' Day; however, there is no day set aside specifically to honor the men and women who are presently serving our country. These brave men and women, as well as their families, deserve to know that we appreciate all of the sacrifices they are making for this country; and

Whereas, Alexandra McGregor, a student at Waterford Kettering High School, has initiated a Candlelight Recognition to Support Our Troops at Waterford Kettering on March 26, 2008. It is the ultimate goal of Alexandra McGregor to get our whole nation to observe five minutes of silence at 6:00 p.m., EST, in honor and appreciation of our American soldiers currently serving around the world. Alexandra also encourages state and local governments to proclaim March 26th as Support Our Troops Day. Furthermore, it is her hope that March 26th could be officially established by the Federal Government as Support Our Troops Day: now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim March 26, 2008, as Support Our Troops Day in the state of Michigan; and be it further

Resolved, That residents of the state of Michigan are respectfully requested to pause for five minutes at 6:00 p.m. on March 26, 2008, to reflect with grateful hearts on the sacrifices being made by our servicemen and women in order to preserve our freedom and our way of life; and be it further

Resolved, That we encourage schools, churches, associations, and local governments to organize and promote ceremonies on March 26th in observance of Support Our Troops Day; and be it further

Resolved, That copies of this resolution be transmitted to Alexandra McGregor and Waterford Kettering High School.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Horn, LaJoy, Brandenburg, Casperson, Cushingberry, Hansen, Opsommer, Polidori, Green, Rick Jones, Shaffer and Vagnozzi offered the following resolution:

**House Resolution No. 313.**

A resolution to urge revision of the proposed 2008 Executive Budget so that any money realized from financing of state bonds is spread among all schools on a per-pupil basis and not to a limited number of schools participating in a Small Schools Program.

Whereas, Meeting the wide-ranging needs of our public schools is a top priority and constant challenge. Innovative measures to direct one-time resources where they can do the most good are always worthy of consideration; and

Whereas, The executive budget proposes using \$300 million raised through bond revenues to reduce the size of larger high schools by creating new high schools of smaller size. While this plan addresses issues of concern for some school districts, this is clearly not a problem that is faced by all communities of our state; and

Whereas, A far more equitable means of utilizing money generated through bonds would be to allocate the dollars to all schools on a per-pupil basis for critical non-administrative needs. This one-time funding could be used for any number of appropriate needs such as brick and mortar, other infrastructure, repair and maintenance, safety measures, and technology. With this approach, districts would be able to match grant money to their most acute needs; and

Whereas, While the state is properly considering innovative measures to direct additional resources to education funding, all schools, not just a few, should benefit. Each individual district should be able to utilize the funding for specific and pressing non-administrative needs; now, therefore, be it

Resolved by the House of Representatives, That we urge revision of the proposed 2008 Executive Budget so that any money realized from financing of state bonds is spread among all schools on a per-pupil basis and not to a limited number of schools participating in a Small Schools Program; and be it further

Resolved, That copies of this resolution be transmitted to House and Senate Appropriations Committees and the Office of the Governor.

The resolution was referred to the Committee on Oversight and Investigations.

Reps. Sak, Casperson, Clemente, Cushingberry, Gonzales, Hammel, Hildenbrand, Marleau, Polidori, Tobocman, Valentine, Accavitti, Brown, Byrnes, Garfield, Green, Hopgood, Johnson, LeBlanc, Leland, Miller, Shaffer, Sheltroun, Alma Smith, Spade and Vagnozzi offered the following resolution:

**House Resolution No. 314.**

A resolution designating March 26, 2008, as Support our Troops and their Families Day in the state of Michigan.

Whereas, It was through the brave and noble efforts of the Nation's forefathers that the United States first gained freedom and became a sovereign country. There are currently more than 1,500,000 active and reserve component members of the Armed Forces serving the Nation in support and defense of the values and freedom that all Americans cherish; and

Whereas, The members of the Armed Forces deserve the utmost respect and admiration of their fellow Americans for putting their lives in danger for the sake of the freedoms enjoyed by all Americans. Members of the Armed Forces are defending freedom and democracy around the globe and are playing a vital role in protecting the safety and security of Americans; and

Whereas, The families of our Nation's troops have made great sacrifices and deserve the support of all Americans; and

Whereas, All Americans should, and we encourage, the citizens of Michigan and the United States to participate in a moment of silence to reflect upon the service and sacrifice of members of the Armed Forces both at home and abroad, as well as the sacrifices of their families; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate March 26, 2008, as 2008 Michigan Support our Troops and their Families Day. We request that the citizens of this Great State participate in a moment of silence to support the troops and their families.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Tobocman and Hildenbrand offered the following resolution:

**House Concurrent Resolution No. 79.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, March 20, 2008, it stand adjourned until Tuesday, April 8, 2008; and be it further

Resolved, That when the Senate adjourns on Thursday, March 27, 2008, it stand adjourned until Tuesday April 15, 2008.

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 the enrollment printing and presentation to the Governor on Thursday, March 20, for her approval of the following bills:

**Enrolled House Bill No. 5443 at 9:48 a.m.**

**Enrolled House Bill No. 5446 at 9:50 a.m.**

**Enrolled House Bill No. 4763 at 10:30 a.m.**

**Enrolled House Bill No. 4868 at 10:32 a.m.**

**Enrolled House Bill No. 4596 at 4:33 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, March 20:

**House Bill Nos. 5910 5911 5912 5913 5914**

**Senate Bill Nos. 1221 1222**

The Clerk announced that the following Senate bill had been received on Thursday, March 20:

**Senate Bill No. 1203**



**Messages from the Senate****House Bill No. 4416, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2501 and 2512 (MCL 339.2501 and 339.2512), section 2501 as amended by 2003 PA 196 and section 2512 as amended by 2002 PA 42, and by adding section 2512d.

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. 4417, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2517 (MCL 339.2517), as amended by 2000 PA 436.

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. 5288, entitled**

A bill to amend 1987 PA 173, entitled "An act to define and regulate mortgage brokers, mortgage lenders, and mortgage servicers; to prescribe the powers and duties of the financial institutions bureau and certain public officers and agencies; to provide for the promulgation of rules; and to provide remedies and penalties," (MCL 445.1651 to 445.1684) by adding section 2a.

The Senate has concurred in the House amendments to the Senate substitute (S-2).

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

**House Bill No. 5665, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2604) by amending the title; and to repeal acts and parts of acts.

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. 5841, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 455.

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. 5842, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4cc (MCL 205.54cc), as added by 2006 PA 657; and to repeal acts and parts of acts.

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. 5844, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 367.

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. 5848, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88d (MCL 125.2088d), as added by 2005 PA 225.

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. 5853, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 512.

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. 5855, entitled**

A bill to authorize local units of government to provide free use of local government property for film production.

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. 5609, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as amended by 2004 PA 365.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 5843, 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.

The Senate has amended the bill as follows:

1. Amend page 4, line 20, after "privilege." by inserting "**THE STATE TREASURER SHALL DIVULGE INFORMATION SET FORTH OR DISCLOSED IN A RETURN OR REPORT OR BY AN INVESTIGATION OR AUDIT TO THE CHAIRPERSONS OF THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES THAT HAVE JURISDICTION OVER MATTERS RELATING TO TAXATION AND FINANCE, THE DIRECTOR OF THE SENATE FISCAL AGENCY, AND THE DIRECTOR OF THE HOUSE FISCAL AGENCY UPON RECEIPT OF A WRITTEN REQUEST FROM THE CHAIRPERSON OR DIRECTOR.**".

2. Amend page 5, line 16, after “211.155.” by inserting “**THE CHAIRPERSONS OF THE SENATE AND HOUSE OF REPRESENTATIVES STANDING COMMITTEES THAT HAVE JURISDICTION OVER MATTERS RELATING TO TAXATION AND FINANCE, THE DIRECTOR OF THE SENATE FISCAL AGENCY, AND THE DIRECTOR OF THE HOUSE FISCAL AGENCY SHALL NOT RELEASE OR DIVULGE INFORMATION RELATED TO THEM UNDER SUBSECTION (1)(F) TO ANY PERSON WHO IS NOT A MEMBER OF THAT COMMITTEE, A LEGISLATIVE STAFF PERSON ASSIGNED TO THAT COMMITTEE, THE DIRECTOR OF THE SENATE FISCAL AGENCY, OR THE DIRECTOR OF THE HOUSE FISCAL AGENCY. A PERSON WHO RECEIVES INFORMATION RELEASED UNDER SUBSECTION (1)(F) SHALL NOT RELEASE THAT INFORMATION IN VIOLATION OF THIS SUBSECTION. IF THE CHAIRPERSON, A MEMBER OF THE COMMITTEE, A LEGISLATIVE STAFF PERSON ASSIGNED TO THAT COMMITTEE, THE DIRECTOR OF THE SENATE FISCAL AGENCY, OR THE DIRECTOR OF THE HOUSE FISCAL AGENCY RELEASES ANY INFORMATION RELEASED UNDER SUBSECTION (1)(F) IN VIOLATION OF THIS SUBSECTION, THAT PERSON IS SUBJECT TO THE PENALTIES PROVIDED IN SUBSECTION (2).**”.

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

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

#### **House Bill No. 5845, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

The Senate has amended the bill as follows:

1. Amend page 13, line 4, after “investment.” by striking out the balance of the line through “tissue.” on line 21 of page 17.

2. Amend page 18, line 11, by striking out all of “sub-subparagraph (E)” and relettering the remaining sub-subparagraph.

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

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

#### **Senate Bill No. 511, entitled**

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the House substitute (H-3).

The Senate has concurred in the House substitute (H-3) as substituted (S-2) and amended the title to read as follows:

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

#### **Senate Bill No. 1203, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” (MCL 125.2151 to 125.2174) by adding section 12b.

The Senate has passed the bill.

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

### **Messages from the Governor**

Date: March 20, 2008

Time: 9:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

#### **Enrolled House Bill No. 5184 (Public Act No. 42, I.E.), being**

An act to authorize the state administrative board to accept and convey certain real property in Ingham county; to prescribe certain conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

(Filed with the Secretary of State March 20, 2008, at 10:55 a.m.)

### Explanation of “No” Votes

Rep. Schuitmaker, having reserved the right to explain her protest against the passage of **House Bill No. 5804**, made the following statement:

“Mr. Speaker and members of the House:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the \$1.4 billion tax hike as well as several one-time funding gimmicks which I did not support. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the governor’s proposed level of spending. The House budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix our economy, we need to get our spending problem under control. This budget does not do that.

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

### Introduction of Bills

Reps. Horn, Knollenberg, Stahl, Calley, Garfield, Proos and LaJoy introduced

#### **House Bill No. 5915, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 803e, 803i, 803j, 803k, and 803l (MCL 257.803e, 257.803i, 257.803j, 257.803k, and 257.803l), section 803e as amended by 2003 PA 30, section 803i as amended by 1998 PA 68, sections 803j and 803k as amended by 1999 PA 183, and section 803l as amended by 2000 PA 77.

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

Rep. Farrah introduced

#### **House Bill No. 5916, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 465 (MCL 750.465).

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

Rep. Farrah introduced

#### **House Bill No. 5917, entitled**

A bill to revise, consolidate, and codify the laws relating to fireworks; to regulate the purchase, possession, sale, and use of fireworks; to provide for penalties and remedies; to prescribe the powers and duties of certain state agencies; and to repeal acts and parts of acts.

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

Rep. Farrah introduced

#### **House Bill No. 5918, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2005 PA 207.

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

Reps. Griffin, Polidori, Green, Robert Jones, Meadows and Hopgood introduced

#### **House Bill No. 5919, entitled**

A bill to amend 1972 PA 106, entitled “Highway advertising act of 1972,” by amending section 7a (MCL 252.307a), as added by 2006 PA 447.

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

Reps. Griffin, Clemente, Miller, Simpson, Robert Jones and Meadows introduced

**House Bill No. 5920, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 744 and 931 (MCL 168.744 and 168.931), section 744 as amended by 1995 PA 261 and section 931 as amended by 1996 PA 583.

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

Rep. Mayes introduced

**House Bill No. 5921, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803i (MCL 257.803i), as amended by 1998 PA 68.

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

Reps. Opsommer, Mayes, Rick Jones, Ward, Corriveau, Elsenheimer, Emmons, Pastor, Caul, Proos, Knollenberg, Hansen, Booher, Calley and LaJoy introduced

**House Bill No. 5922, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562.

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

Reps. Calley, David Law, LaJoy, Wenke, Pastor, Rick Jones, Hune, Horn, Huizenga, Gaffney, Robertson, Knollenberg, Garfield, Meltzer, Pearce, Hansen, Agema, Pavlov, Nofs, Acciavatti, Sheen, Shaffer, Casperson, Stahl, Marleau, Meekhof, Amos, Emmons, Moss, Schuitmaker, Palmer, Stakoe, Virgil Smith, DeRoche, Opsommer and Brandenburg introduced

**House Bill No. 5923, 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 Oversight and Investigations.

Reps. Bieda, Condino and Griffin introduced

**House Bill No. 5924, 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.

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

Reps. Byrum, Griffin, Mayes, Bieda, Proos, Simpson, Condino, Accavitti, Donigan, Robert Jones, Vagnozzi, Valentine, Bauer, Meadows, Lemmons, Sheltroun, Gillard, Hopgood, Coulouris, LeBlanc, Ward, Moore, Nofs, Horn, Hammon, Alma Smith, Meekhof, Huizenga and Cushingberry introduced

**House Bill No. 5925, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 111, 525, 537, 603, 607, 906, and 1027 (MCL 436.1111, 436.1525, 436.1537, 436.1603, 436.1607, 436.1906, and 436.2027), section 525 as amended by 2006 PA 539, sections 537 and 607 as amended by 2005 PA 269, section 906 as amended by 2000 PA 431, and section 1027 as amended by 2001 PA 46, and by adding section 534.

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

Reps. Nitz and Sheltroun introduced

**House Bill No. 5926, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2006 PA 268.

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

Reps. Sheltroun and Nitz introduced

**House Bill No. 5927, entitled**

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 2 (MCL 207.212), as amended by 2006 PA 346.

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

Reps. Proos, Garfield, Pearce, Shaffer, Horn, Bauer, LaJoy, Nofs, Moolenaar, Opsommer, Griffin, Alma Smith and Stahl introduced

**House Bill No. 5928, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1502 (MCL 380.1502), as amended by 1993 PA 335.

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

Reps. Sheen, Knollenberg, Calley, Hoogendyk, Palmer, Garfield, Agema, Stakoe, Pearce, Palsrok, Emmons, Hansen, Horn, Stahl, Nitz, Opsommer, Amos, Hune, Gaffney, Steil, Polidori, Marleau, Green, Casperson, Pastor, Rick Jones, Nofs, Meltzer, Moolenaar, Meekhof and Booher introduced

**House Bill No. 5929, entitled**

A bill to provide for a waiting period and publication before the legislature may vote on certain appropriation- or revenue-related bills.

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

Reps. Sheen, Hoogendyk, Palmer, Garfield, Caswell, Agema, Amos, Robertson, Stakoe, Stahl, Sheltroun, Steil, Polidori, Shaffer, Marleau, Knollenberg, Green, Casperson, Pastor, Rick Jones, Nofs, Meltzer, Caul, Moolenaar, Meekhof and Hansen introduced

**House Bill No. 5930, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14j.

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

Reps. Sheen, Hoogendyk, Palmer, Garfield, Agema, Opsommer, Amos, Robertson, Stakoe, Hune, Gaffney, Stahl, Steil, Polidori, Shaffer, Marleau, Knollenberg, Green, Casperson, Pastor, Rick Jones, Nofs, Meltzer, Moolenaar, Meekhof, Hansen and Booher introduced

**House Bill No. 5931, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 2f to chapter XIIA.

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

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Rep. Meadows moved that the House adjourn.  
The motion prevailed, the time being 9:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, April 8, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives