

No. 91
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House of Representatives
94th Legislature
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House Chamber, Lansing, Tuesday, December 9, 2008.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Arlan B. Meekhof, from the 89th District, offered the following invocation:

“Heavenly Father, we come before You today to ask Your forgiveness and to seek Your direction and guidance. We know Your Word says, ‘Woe to those who call evil good,’ but that is exactly what we have done.

We have lost our spiritual equilibrium and reversed our values.

We have exploited the poor and called it the lottery.

We have rewarded laziness and called it welfare.

We have killed our unborn and called it choice.

We have neglected to discipline our children and called it building self esteem.

We have abused power and called it politics.

We have coveted our neighbor’s possessions and called it ambition.

We have polluted the air with profanity and pornography and called it freedom of ___ expression.

We have ridiculed the time-honored values of our forefathers and called it enlightenment.

Search us, O God, and know our hearts today; cleanse us from every sin and set us free. Amen!”

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

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 82.

A resolution to memorialize the United States Congress to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism.

(For text of resolution, see House Journal No. 41 of 2007 p. 572.)

(The resolution was reported by the Committee on Health Policy on December 4, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4552, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

(The bill was received from the Senate on December 4, with substitute (S-7), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2908.)

The question being on concurring in the substitute (S-7) made to the bill by the Senate,

The substitute (S-7) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1020

Yeas—102

Accavitti
Acciavatti
Angerer
Ball

Dillon
Donigan
Ebli
Elsenheimer

Lahti
LaJoy
Law, David
Law, Kathleen

Pavlov
Pearce
Polidori
Proos

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

Nays—6

Agema	Palmer	Stahl	Stakoe
Hoogendyk	Sheen		

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

The Speaker laid before the House

House Bill No. 4938, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2005 PA 279.

(The bill was received from the Senate on December 4, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2909.)

The question being on concurring in the substitute (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. 1021

Yeas—82

Accavitti	Dean	Jones, Robert	Sak
Angerer	Dillon	Lahti	Schuitmaker

Ball	Donigan	LaJoy	Scott
Bauer	Ebli	Law, David	Shaffer
Bennett	Elsenheimer	Law, Kathleen	Sheltrown
Bieda	Espinoza	LeBlanc	Simpson
Booher	Farrah	Leland	Smith, Alma
Brandenburg	Gaffney	Lemmons	Smith, Virgil
Brown	Gillard	Lindberg	Spade
Byrnes	Gonzales	Mayes	Stakoe
Byrum	Green	McDowell	Steil
Casperson	Griffin	Meadows	Tobocman
Caswell	Hammel	Meisner	Vagnozzi
Cheeks	Hammon	Melton	Valentine
Clack	Hansen	Meltzer	Walker
Clemente	Hildenbrand	Miller	Ward
Condino	Hood	Pearce	Warren
Constan	Hopgood	Polidori	Wenke
Corriveau	Jackson	Proos	Wojno
Coulouris	Johnson	Robertson	Young
Cushingberry	Jones, Rick		

Nays—26

Acciavatti	Hoogendyk	Moore	Palsrok
Agema	Horn	Moss	Pastor
Calley	Huizenga	Nitz	Pavlov
Caul	Hune	Nofs	Rocca
DeRoche	Marleau	Opsommer	Sheen
Emmons	Meekhof	Palmer	Stahl
Garfield	Moolenaar		

In The Chair: Byrnes

The House agreed to the full title.

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

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

The motion prevailed.

The Speaker laid before the House

House Bill No. 5160, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625 (MCL 257.625), as amended by 2006 PA 564.

(The bill was received from the Senate on December 4, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2909.)

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. 1022**Yeas—106**

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

Nays—1

Garfield

In The Chair: Byrnes

The House agreed to the full title.

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

Comments and Recommendations

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

Rep. Vagnozzi:

“It is with a great deal of honor and humility that I leave the Michigan House of Representatives.

I want to thank all the people who made by six years possible—my colleagues, the staff of the House and Democratic caucus, the sergeants-at-arms, my staffers Victoria Spector and Paul Martin, and my family, two of whom are here, son Steven and daughter Nancy. But most of all, I want to thank my loyal and very supportive constituents who elected me to 22 years in public office, but not the first time when I received only 25% of the vote for State Rep. compared to 62% the last time.

With the state facing very difficult times, the message I want to leave with you today is a call for a truly bi-partisan House and Senate.

I propose to you today that the next Legislature spend the first three months working on bills that have the support of both parties, hoping this proves how bi-partisanship can work.

I would then propose consideration of the fairness doctrine that I put out two years ago. This includes the following suggestions:

All bills need to be given some consideration and not pigeonholed in committee.

Bills sponsored by both parties be brought up for a vote. We have done quite a bit of that this session.

Committees to reflect the make-up of the House, with each party having control of who serves on these committees.

At the same time, we should make some changes in floor procedure:

There should be more floor debate on the bills and explanations of what's in the bills, especially when it comes to amendments.

There should not be attempts to add unrelated amendments to the bills.

The practice of denying immediate effect is also counter-productive.

I hope you consider these suggestions very seriously—especially in these difficult times.

And now, I leave you with a line from the Shropshire Lad—'And many golden friends I've had.' Arrivederci, sorry Jack, which, in Italian, is not a good bye, but anticipates meeting again. It means: Until we see each other again."

Rep. Nitz:

"Thank you Mr. Speaker,

I want to begin by saying what an honor it has been to serve in this chamber for the last six years. I will miss this institution and those people who maintain it; the beauty of this room and this building, and the many good people here right now.

Above all, I am so grateful to God for giving me the opportunity to serve Him and serve others, but also for all the ways that He graced me with the joy of His presence, from thoughtful but passionate discussions within these walls to being able to help pick up a few pieces in Pass Christian, Mississippi, to sunsets over grape vines in Baroda; God is good.

The time I have spent here has been trying in many ways. We've been trudging through the economic valley and power has shifted hands but I think we were able to reach across the aisle and rise above many of these obstacles. Some of the moments I will hold close to my heart are glimpses of this bipartisanship: when members from both sides would ask what I thought about an ag bill that was up on the floor and the frank porch discussions of the smoking caucus which could make those hot summer afternoons bearable and bring warmth to days like today.

I am forever appreciative for the opportunity to lead farm and field policy for a couple years. Together, we were able to work on avian influenza, bring added value to farming, and put together our state's first comprehensive renewable fuels package, which I hope will only be a small part of a foundation for continued investment in this field. We must get past the downfalls that perpetual pessimists point to and agree that the alternative is better than the status quo and should be a portion of the bridge to the fuels of the future.

I am very grateful to the people I've served from Berrien and Cass Counties. We have all been given an incredible task by our constituents and it is always a pleasure to serve them.

We all need to remember that we need to be careful with the power that the people back home has given us, we shouldn't use it for personal gain, but to improve the lives and welfare of all the citizens of our districts and state.

Thanks to my friends and family back home for their words of encouragement. My sister Nancy helped fill in the gaps, always willing to meet me or my staff halfway. My brother Nathan kept my fruitless ideas grounded and my ground fruitful.

There is a common thread that seems to exist in many farewell speeches - that we will all miss the people that we've worked with. That is certainly what I will miss most—the people. I will miss my staff of Chris Jones and Derek Bajema, who stayed at my side for more than 5 1/2 years, Will Wagner who came in to close out the term, my interns,- Brett, David, Melissa, and Brett; Cath Petroskey who served as my committee clerk, the patient policy staffers, the seven writers, and postmaster Nay. Thank you.

To my colleagues here in the House, I also say thank you. Thank you for the respect that you've shown me. Thank you for the friendship. It's encouraging to see members who are motivated by a sincere desire to help their constituents, offer a voice to those who need it, and push for laws that reflect Michigan values. There have been a few who have been of particular help to me in one way or another:

Former Speaker Pro Tem Julian, who took me under his wing,

Former Speaker Johnson, who taught me about practical policy,

Former Speaker DeRoche who trusted me to lead the Agriculture Committee,

Rep. Caswell, who counseled me in his wise ways,

Rep. Brandenburg, the mouth of Macomb, who brightened dark moments,

Rep. Mayes, who, at the end of the day, did what he said he was going to do.

And

Rep. Law, you can guess which one, who smoked my cigars.

In closing, I came to Lansing an outsider and I am proud to leave an outsider. As we say in Baroda, have a grape day! Thank you and God Bless.”

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4847, entitled

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

(The bill was received from the Senate on November 13, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 19, see House Journal No. 85, p. 2660.)

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

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

The motion prevailed.

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

The motion prevailed.

The Speaker laid before the House

House Bill No. 5722, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1001, 1005, 1007, 1010, 1015, 1017, and 1125 (MCL 500.1001, 500.1005, 500.1007, 500.1010, 500.1015, 500.1017, and 500.1125), sections 1001, 1005, 1007, 1010, 1015, and 1017 as added by 1992 PA 182 and section 1125 as amended by 2000 PA 283, and by adding sections 1027, 1029, 1031, and 1033.

(The bill was received from the Senate on December 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2909.)

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. 1023

Yeas—107

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

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

Nays—0

In The Chair: Byrnes

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5769, entitled

A bill to amend 2006 PA 272, entitled “Renewable fuels commission act,” by amending sections 3 and 6 (MCL 290.583 and 290.586).

(The bill was received from the Senate on December 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2909.)

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. 1024

Yeas—106

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

Condino	Hune	Opsommer	Walker
Constan	Jackson	Palmer	Ward
Corriveau	Johnson	Palsrok	Warren
Coulouris	Jones, Rick	Pastor	Wenke
Cushingberry	Jones, Robert	Pavlov	Wojno
Dean	Lahti	Pearce	Young
DeRoche	LaJoy		

Nays—1

Garfield

In The Chair: Byrnes

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 5874, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

(The bill was received from the Senate on December 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2909.)

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. 1025**Yeas—108**

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	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	Hune	Opsommer	Ward
Coulouris	Jackson	Palmer	Warren

Cushingberry	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young

Nays—0

In The Chair: Byrnes

The House agreed to the full title.

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

The Speaker laid before the House

House Bill No. 6365, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1274 (MCL 380.1274), as amended by 2004 PA 588.

(The bill was received from the Senate on December 4, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2910.)

The question being on concurring in the substitute (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. 1026**Yeas—106**

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	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	Hune	Opsommer	Ward
Coulouris	Jackson	Palsrok	Warren
Cushingberry	Johnson	Pastor	Wenke
Dean	Jones, Rick	Pavlov	Wojno
DeRoche	Jones, Robert	Pearce	Young
Dillon	Lahti		

Nays—2

Agema

Palmer

In The Chair: Byrnes

Reps. Accavitti, Brown, Clack, Dean, Espinoza, Hammel, Hammon, Hansen, Hopgood, Rick Jones, Robert Jones, Kathleen Law, Meekhof, Moolenaar, Nitz, Nofs, Polidori, Proos, Schuitmaker, Shaffer and Spade were named co-sponsors of the bill.

The House agreed to the full title.

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

The Speaker Pro Tempore resumed the Chair.

The Speaker laid before the House

House Bill No. 6366, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 623a (MCL 380.623a), as amended by 2007 PA 45.

(The bill was received from the Senate on December 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2910.)

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. 1027**Yeas—106**

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	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	Hune	Opsommer	Ward
Coulouris	Jackson	Palsrok	Warren

Cushingberry	Johnson	Pastor	Wenke
Dean	Jones, Rick	Pavlov	Wojno
DeRoche	Jones, Robert	Pearce	Young
Dillon	Lahti		

Nays—2

Agema	Palmer
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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. 6562, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 33 (MCL 445.1683), as amended by 2008 PA 64.

(The bill was received from the Senate on December 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2910.)

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. 1028**Yeas—108**

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	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	Hune	Opsommer	Ward
Coulouris	Jackson	Palmer	Warren
Cushingberry	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the full title.

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

Comments and Recommendations

Rep. Wenke:

“Most politicians enjoy a parade, and I am no exception. I put a great deal of effort into my parade participation. With borrowed inspiration from Rep. John Stahl, I built a small train to use in area parades. My train blows smoke, plays music, has a bell, and six cars captioned: Equality; Honor; Justice; Freedom; Liberty; and Patriotism. I named my train the ‘Wenke – I Think I Can Express’ because when I first ran for office, I told voters what I thought I could do. I told them that I could increase the number of jobs, assist public safety officers in reducing crime, improve public education, and deliver efficiency to a state government with 50,000 employees and a budget of 40 billion dollars. Finally, I declared that I would have no problem increasing services while cutting taxes by eliminating waste in government spending. If this sounds familiar to you, it’s because I believe most politicians are elected with this same platform.

Those of us who made such promises, now leave office and must acknowledge our state’s record unemployment, mediocre public education on many levels, prisons and jails that are close to capacity, and a state budget that ballooned by about 1 billion dollars each year. Michigan’s savings are depleted and balancing the budget hinges on a large tax increase. Certainly, we as elected officials have done some good work, but the decline of the Michigan based auto industry and the financial burden of the cost of government services is bruising the ‘I think I can’ spirit of Michigan citizens.

Who will bring economic fairness to Michigan citizens? Are we truly connected to the needs of the people we are representing? I submit that too many of us who are employed by the taxpayer live in a bubble. This makes it extremely hard to hear the voices of those in the private sector that put more tax dollars into the treasury than they take out. Michigan legislators have the second highest base salary in the USA. Michigan education employees are among the highest paid in the nation. Compensation comparisons indicate very clearly that public sector workers in Michigan are a privileged class both in comparison to other states and the private sector. The time has come to tackle these issues, make some tough decisions, and do the right thing.

Thirteen years ago, I stood on the steps of our nation’s capitol with a sign supporting a balanced budget amendment to our constitution. It failed by two votes and today our nation is so far in debt that no realistic person ever expects to pay the bill. Michigan has similar budget problems. We are billions of dollars under-funded in our health care plans and we have no money set aside for future healthcare costs. Our state government is on the same path as the auto industry. However, we have time to make changes and avoid the same fate. I recommend that all employed by the Michigan taxpayer pay at least 25% of their health care premiums. It is obvious that the private sector can no longer afford to be so generous with those of us in the public sector.

My tenure in the House included countless votes, but I would like to close my remarks today with a few thoughts on what for me, was a life changing vote that nearly ended my political career. In 2004, I voted against placing the Marriage Protection Amendment on the ballot in Michigan. I believed then, and even more so now, that this amendment would have allowed constitution based discrimination. The constitution should never be a vehicle for limiting equal rights – but rather an instrument for guaranteeing equality and protecting the rights of each and every citizen. The constitution is **not** the place to implement discrimination against those with whom we have religious differences. I continue to believe that my oath of office required me to protect the rights of all citizens. I could not walk out of the Capitol Building – where the American flag, a symbol of American freedom and justice waves overhead – having voted for an amendment that was clearly discriminatory.

In a matter of days, my time as State Representative of Michigan’s 63rd District will come to an end. I found each day to be exhilarating and challenging, but ever so humbling. I never lost sight of my campaign slogan and primary goal – making Michigan a better place to live. I began today by referencing the train I use in local parades – an engine pulling six cars with the captions of Equality, Honor, Justice, Freedom, Liberty and Patriotism. I believe we are required to serve proudly with **patriotism** and **honor** – to seek **justice**, protect and defend **equality** for every individual, and to cherish our **liberty** and **freedom**. Those who are privileged to serve should do no less.”

Rep. Stahl:

“I look around this chamber and see many of us have aged a little and picked up a few pounds. The aging comes naturally and somewhat from the pressures that come with the mantle of responsibility that has been placed upon us. We in this chamber have had the privilege and opportunity to serve, through representation, the 9.5 million people of Michigan for their general welfare.

It has been my privilege to serve in this chamber in the capacity of representative—even being called honorable—where thousands before us have served. But I have come to my senses and realized it was the position the people elected me to fill, trusting that I would execute it not only by making good decisions, but by setting an example of upright behavior. I had been given a position of trust, to look after the welfare of the citizens, and not to seek political expediency for personal gain or re-election purposes.

As alluded to in our state constitution, we are finite beings seeking to secure the blessings of the Almighty God upon ourselves and our children. We are not dependent upon the economy for our future as we have so arrogantly come to trust and measure ourselves. It would be wise not only to open our sessions with prayer but to continue to maintain and follow God's proven principles.

During my tenure we have dealt with such issues as a constitutional amendment regarding one-man-one-woman marriage and the banning of partial birth abortion. We did not address the important issue of parental rights, even though there were 80 sponsors. Oh well, I could mention thousands of others we have considered, including halting a mandate that would have inoculated all 10 to 12-year-old girls, with a vaccine still not proven to be safe or necessary.

Did we have prescribed agendas that were contrary to our Creator's moral design? I suggest that they are futile and a waste of time because they subvert society in the making. Then we have to correct what we have mandated with more new government programs. If we are trying to benefit those in need without encouraging responsibility, are we causing dependency rather than enabling them? We then end up spending more of the taxpayer's money without providing quality results. I do not think we really want to take actions which might jeopardize the future of the citizens because of our incomplete research and review of the matter.

I now focus to give thanks to all that have made my tenure here successful and blessed. Individuals like our late executive director of Capitol Services Jerry Lawler, an exemplary public servant, whom I credit as a mentor, as I do Gary Randall. One worker that comes to mind is in this chamber—Ben Williams. Ben was my clerk when I became chair of the Family and Children's Services Committee. Remember how we all coveted a leadership position? Little did I realize the responsibility and the dynamics that would follow. During one of my first hearings all my Democrat colleagues left in contention. Then Ben turned to me and asked, 'You wanted to be king. What are you going to do now?'

Also staff personnel who served in various capacities, deflecting their achievements, making me look intelligent and capable. Some of the names include Matt, Katie, Johnathon, Jamie, La Rae, Jenell, Bob, Erika, and last, but far from least, Greg. The workers at LSB, our policy staff, along with so many others who not only do their job but serve to keep the integrity of the process and to preserve the freedoms that we cherish—freedom to pursue happiness as our inalienable right, not at the expense of forcing others to carry the load, but the privilege and opportunity to seek individual prosperity.

In conclusion—which is a meaningless statement for politicians and preachers—I will try to end on a positive note.

I am taking with me so much from all who have shared with me of their talents, wisdom, love, respect of person, and so much more. The wealth of knowledge acquired in conversations, committee hearings, and from lobbyists—yes, even lobbyists—is great. I go from here so much better prepared for what is next. Thank you, colleagues, for putting up with me at times when my passion was not guided. Most of you were the generous ones who help to make this institution work.

I thank my dear wife, Ruth who is my better half and believes in me. For my sons John Mark and Ben, who set my course to arrive here, and the rest of my family and friends who gave so much of their time, money, and prayer, thank you. Foremost to my Lord and Savior Jesus Christ, I give thanks that in Him I live, and move, and have my being.

God bless."

Rep. Clack:

"Good Afternoon,

I want to first thank God for keeping me strong as I have entered these Chambers each day to serve the people of this state and particularly, the 34th District. As I stand before you today, I can recall so many wonderful times spent here. But none compares to the night I was formerly sworn in to represent the 34th District of Genesee County. It was sheer exhilaration.

As I walked through these doors the spirits of my departed loved ones followed me. They too looked in awe of the event. Why was such a feeling you ask? Well, I was accomplishing something that at one time in my life, would never take place. Having hailed from the state of Tennessee, rose during one of the most tumultuous times in history, the Civil Rights Movement, it was just not to be, but it did happen. I experienced eggs being thrown at me, water hoses, spit and so many ugly words coming from the mouths of many people. But I did not give up.

Colleagues believe me; this truly is a great place to work. This opportunity is not for everyone, but everyone has the right to pursue it. We who are elected to serve are given a great responsibility. We were instructed to make the best political decisions for all the people in this state. But have we always done so. Haven't we always voted as our constituents wanted us to or has it been personal? I would say that to a degree we all are guilty of that.

The next Legislature will have to be even more diligent about decisions as our state faces many uncertainties. Bad economic times will force us to do with much less, but we should never make people suffer.

As I leave, I am concerned about the number of female Legislators. We must encourage more to pursue politics. We must always be ethnically diverse. We must always represent our state.

I have worked with some truly unique individuals these past six years.

I want to thank my Chief of Staff Kellie Green who has been me with six years. My current staff member Joyce Thomas and Teresa Edwards who has moved on. Thank you to the Democratic Staff for all of your patience and to my seat posse: George, Rick and Ted. Lastly, I would like to thank Speaker Andy Dillon for his leadership. These years will not be forgotten.

My one regret as I stand before you is the Smoking Ban Bill has not been passed. I felt, I owed it to the people of this state to do so.

Finally to all of my many friends and you know who you are, I will never forget this experience. While we might not have always agreed, I will always count you as a friend and I will always remember you.

Farewell.”

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

Rep. Hood moved that Reps. Dillon and Virgil Smith be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 6602, entitled

A bill to amend 1976 PA 223, entitled “An act to create an agency concerned with crime victim services; to prescribe its powers and duties; to provide compensation to certain victims of crimes; to provide for the promulgation of rules; and to provide for penalties,” by amending sections 2, 4, 5, 10, and 11 (MCL 18.352, 18.354, 18.355, 18.360, and 18.361), as amended by 1996 PA 519, and by adding section 5a.

(The bill was received from the Senate on December 4, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2910.)

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. 1029

Yeas—105

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

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 6604, entitled

A bill to amend 1964 PA 283, entitled “Weights and measures act,” (MCL 290.601 to 290.634) by adding section 28d.

(The bill was received from the Senate on December 4, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2910.)

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. 1030**Yeas—106**

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

Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young
DeRoche	Lahti		

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. 6618, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14p of chapter XVII (MCL 777.14p), as amended by 2006 PA 251.

(The bill was received from the Senate on December 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 90, p. 2911.)

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. 1031**Yeas—106**

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

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 1039**.

(For first notice see House Journal No. 90, p. 2914.)

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

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

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

Rep. Angerer moved that the Committee on Labor be discharged from further consideration of **Senate Bill No. 1596**.

(For first notice see House Journal No. 90, p. 2914.)

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

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

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

Rep. Angerer moved that the Committee on Energy and Technology be discharged from further consideration of **House Concurrent Resolution No. 3**.

(For first notice see House Journal No. 90, p. 2914.)

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

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

The concurrent resolution was placed on the order of Reports of Standing Committees.

Rep. Angerer moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

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

House Resolution No. 496.

A resolution of tribute for the Honorable David Palsrok.

Whereas, It is with great respect and gratitude for his service to the people of the One-hundred-first District, as well as the entire state, that we honor Representative David Palsrok as he ends his legislative tenure in this legislative body. His commitment to Michigan's natural resources and his dedicated work on energy issues have been of immeasurable benefit to the state and to the efforts of the legislature over the past 6 years; and

Whereas, David Palsrok graduated from Manistee High School in 1987 and went on to earn a bachelor of arts degree in political science from Michigan State University. Prior to his election as a state representative in 2002, he served as the director of public policy for the Michigan Association of Realtors. He also served on the Michigan United Conservation Clubs board of directors and founded Connect Michigan, a telecommunications advocacy group dedicated to more competition and investment in Michigan. David Palsrok's public service began in 1993 as a legislative aid for House Republican Floor Leader Dan Gustafson and later he served as the chief of staff to Senate Assistant Majority Leader Michael Bouchard; and

Whereas, In his freshman term, Representative Palsrok was appointed the chair of the Great Lakes and Tourism Committee, a committee of immense importance to the Great Lakes State. In recognition of his leadership abilities and expertise on natural resource issues, he was appointed chair of the Natural Resources, Great Lakes, Land Use, and Environment Committee during the Ninety-third Legislature. Representative Palsrok served on the Energy and Technology

Committee for all 6 years of his tenure. He worked tirelessly on energy issues and was instrumental in passing legislation to increase the amount of renewable energy generated in the state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of thanks and admiration to the Honorable David Palsrok as he brings to a close his tenure for the Michigan Legislature; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Palsrok as evidence of our gratitude and our best wishes for his future endeavors.

Pending the reference of the resolution to a committee,

Rep. Angerer 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.

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

House Resolution No. 497.

A resolution of tribute for the Honorable John R. Pastor.

Whereas, It is with respect for his hard work and dedication that we express our gratitude to our colleague John Pastor for his efforts as a lawmaker working on behalf of the people of his Livonia community and our entire state. The energy and insight he has brought to his responsibilities have contributed a valuable perspective to the legislative process; and

Whereas, John Pastor, who studied at Ferris State University, has distinguished himself in business and civic affairs in his hometown in many ways. Through his family's general contracting business, he has faced the challenges of our economy and job creation. These experiences also include his years of service in local government in Livonia as a member of the City Council, Traffic Commission, Zoning Board of Appeals, and Planning Commission, as well as his involvement in community life through the Jaycees, Knights of Columbus, and Children's Miracle Network; and

Whereas, Following his election in 2002, Representative Pastor became a strong voice for economic development, more efficient permitting procedures, and sound fiscal policies. His committee work has included his service in the Ninety-third Legislature through the Appropriations Committee as the vice chair and chair of the Department of Environmental Quality Subcommittee, as well as his contributions in the Ninety-fourth Legislature on the Military and Veterans Affairs and Homeland Security, the New Economy and Quality of Life, and Tax Policy Committees; now, therefore, be it

Resolved by the House of Representatives, That we commend and thank Representative John R. Pastor for his service to this legislative body and the people of our state over the past 6 years; and be it further

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

Pending the reference of the resolution to a committee,

Rep. Angerer 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.

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

House Resolution No. 498.

A resolution of tribute for the Honorable David Robertson.

Whereas, It is with great admiration for his dedication to the people of the Fifty-first District and the state of Michigan that we honor Representative David Robertson as he completes his service as a member of this legislative body. First elected to the legislature for the 1991-1992 session, Representative Robertson returned to the legislature in 2003 to serve 6 more years. During his legislative career, he has proven to be an honest and hardworking leader; and

Whereas, Representative Robertson studied political science and history at the University of Michigan – Flint. His experience as chairman of the Employment Security Board of Review, as a rules analyst for the Joint Committee on Administration Rules, and as a member of the Genesee County Board of Commissioners served him well as he tackled issues of importance to his constituents and the citizens of Michigan; and

Whereas, Over the course of his tenure, Representative Robertson has served as chair of the Banking and Financial Services Committee, as minority vice chair of the Committee on Great Lakes and Environment, and as a member of the Committees on Local Government and Urban Policy and Health Policy. On each of these committees, he has been a diligent leader, earning our respect for all that he has achieved; now, therefore, be it

Resolved by the House of Representatives, That we offer this resolution as an expression of our gratitude to the Honorable David Robertson for his many contributions to the people of Michigan; and be it further

Resolved, That a copy of this document be transmitted to Representative Robertson as a token of our high regard for his efforts.

Pending the reference of the resolution to a committee,
Rep. Angerer 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 499.

A resolution of tribute for the Honorable Michael Sak.

Whereas, The members of this legislative body deem it a great honor and pleasure to congratulate our friend Michael Sak at the end of his outstanding tenure with the Michigan House of Representatives. His knowledge and expansive experience have made him an effective contributor to the legislative process. His time here in Lansing has been of great value to the residents of the Seventy-sixth District; and

Whereas, Michael Sak earned a bachelor's degree from Utah State University and a master of education degree from Grand Valley State University. A former elementary and middle school teacher and school administrator, he brought considerable experience in education to his role as a legislator. Sixteen years as a Kent County Commissioner proved invaluable when addressing issues concerning local governments; and

Whereas, First elected in 2002, Representative Sak has distinguished himself during his 6 years in the House of Representatives. He has held leadership roles, including Assistant Floor Leader for 2005-2006 and Speaker Pro Tempore for the Ninety-fourth Legislature. His extensive experiences in local government and education served him well as a member of the Community Colleges, Joint Capital Outlay, and General Government Appropriations Subcommittees; now, therefore, be it

Resolved by the House of Representatives, That we offer this resolution as an expression of our gratitude to the Honorable Michael Sak for his many contributions to the people of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Sak as a token of our high regard for his efforts.

Pending the reference of the resolution to a committee,
Rep. Angerer 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 500.

A resolution of tribute for the Honorable Rick Shaffer.

Whereas, As he brings to a close his tenure with the Michigan House of Representatives, it is a pleasure to offer this expression of respect and thanks to Rick Shaffer for his contributions to this legislative body. His focus and emphasis on the public good and concern for the residents of Cass and St. Joseph Counties have been beneficial to our entire state; and

Whereas, Rick Shaffer, who earned an associate's degree in nursing from Kellogg Community College and a bachelor's degree in health care studies at Western Michigan University, has long been a health care leader in southwest Michigan. He has served as an administrator at the Hope Nursing Home, Dosca Manor, Borgess Nursing Home, and Heartland Health Care. Prior to his election to the Michigan House of Representatives in 2002, he was the director of the Three Rivers Area Hospital Homecare and Hospice. In addition, he has been committed to local government, serving on the St. Joseph County Board of Commissioners for 12 years; and

Whereas, Representative Shaffer has contributed to the work of the Appropriations Committee throughout all 3 of his terms and he served as the Minority Vice Chair of the Human Services and Joint Capital Outlay Subcommittees during the Ninety-fourth Legislature. His work in the House over the past 6 years has been deeply appreciated by his colleagues, as well as the people of his district and our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this resolution to commend and thank the Honorable Rick Shaffer for his many contributions to the people of Michigan; and be it further

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

Pending the reference of the resolution to a committee,
Rep. Angerer 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.

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

House Resolution No. 501.

A resolution of tribute for the Honorable Fulton Sheen.

Whereas, As he completes his service with the House of Representatives, it is most appropriate to salute Fulton Sheen and to thank him for his contributions to this legislative body. His belief in our system of self-government and concerns for residents of the Eighty-eighth District have been evident throughout his tenure as a lawmaker; and

Whereas, A graduate of Western Michigan University, Representative Sheen has owned his own business and been actively involved in financial planning as a licensed financial advisor and Certified Financial Officer. He is committed to a number of organizations that involve families and young people, including the Allegan County Strong Families/Safe Children Council, the Literacy Tutoring Project, and the Boy Scouts of America, Gerald R. Ford Council. He is also Court Appointed Special Advocate for the Child. With his experience in these endeavors, Representative Sheen contributed significantly to the workings of the legislature; and

Whereas, Representative Sheen has used his expansive community and business experience to the benefit of the residents of Allegan County as well as all the people of Michigan through his work on the House Committees on Families and Children's Services; Senior Health, Security, and Retirement, and Tax Policy; which he chaired during the Ninety-third Legislature; now, therefore, be it

Resolved by the House of Representatives, That we offer this resolution to commend and thank the Honorable Fulton Sheen for his many contributions to the people of Michigan over the past 6 years; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Sheen as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Angerer 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.

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

House Resolution No. 502.

A resolution of tribute for the Honorable Virgil Smith.

Whereas, The members of the House of Representatives extend our thanks and best wishes to Representative Virgil Smith as he completes his tenure with this legislative body. Representative Smith has been a valuable colleague and a champion for his constituents, and we wish him well in his future endeavors; and

Whereas, Elected to 3 consecutive terms as the representative from the Seventh District, Virgil Smith has demonstrated a strong commitment to the fight for affordable health care, lower insurance rates, and lower property taxes in Detroit. This dedication has been of great value and benefit to his district and this state. As chair of the House Committee on Insurance, he has called upon insurance companies to be accountable for excessive rates. His leadership on this challenging issue and as a member of the Legislative Black Caucus has been deeply appreciated by colleagues and staff alike; and

Whereas, Virgil Smith has demonstrated leadership through his efforts promoting Michigan youth and the foundations of our democracy. He has been instrumental in registering over 1,500 Detroit public school students to vote since 2002 as part of Project VoteSmart, a nationwide grassroots voter education initiative. He has also served throughout the last 3 sessions with dedication and distinction on standing committees charged with directing state policy on education, judiciary, regulatory reform, and banking and financial services matters; now, therefore, be it

Resolved by the House of Representatives, That we honor Representative Virgil Smith as he concludes his service to the Michigan House of Representatives; and be it further

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

Pending the reference of the resolution to a committee,

Rep. Angerer 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.

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

House Resolution No. 503.

A resolution of tribute for the Honorable John Stahl.

Whereas, As he completes his service with the House of Representatives, it is most appropriate to salute John Stahl and to thank him for his contributions to this legislative body throughout his 3 terms in office. His belief in our system of self-government and his concern for Michigan's future have been evident throughout his tenure; and

Whereas, John Stahl is a man of deep faith who brought a dedication to youth and families with him to the Capitol in 2002. He channeled these values into a distinguished record of community service. He helped with community construction projects in Africa, and volunteered with Boy Scouts, 4-H, and Little League baseball in his own community. His public-mindedness and dedication have been appreciated by his colleagues and staff members, as well as the people of his district and the state; and

Whereas, During his 6 years in the House, John Stahl has contributed his insights and ideas to the wide-ranging policy debates of the full House and to his committee assignments. He served with distinction on many House standing committees, serving as chair of the Michigan Capitol and Family and Children Services Committees during the Ninety-third Legislature. His leadership on behalf of youth and families led to legislation that established foster care youth networks. He also actively contributed to the work of the standing committees that oversee policy on energy and technology, education, agriculture, transportation, and senior health, security and retirement; now, therefore, be it

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

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

Pending the reference of the resolution to a committee,

Rep. Angerer 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.

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

House Resolution No. 504.

A resolution of tribute for the Honorable John Stakoe.

Whereas, The members of this legislative body are proud to commend and thank our colleague, Representative John Stakoe, as he brings to a close his distinguished service to the Michigan House of Representatives. His diligent efforts and high standards have benefited not only the Forty-fourth District, but our entire state; and

Whereas, A native of Dearborn, John Stakoe earned bachelor's and master's degrees from Eastern Michigan University and graduated from the Northwestern University School of Staff and Command before serving as a Milford police officer for 19 years. His wealth of experience in public service also includes tenure as Highland Township Supervisor, where he founded the Highland Township Downtown Development Authority. His public-mindedness and dedication to civic responsibility have been further demonstrated by his involvement with SEMCOG, the Huron Valley Optimist Club, the Huron Shiawassee Headwaters Project, the Huron-Clinton Metropolitan Authority Police Department Oversight Committee, and the Western Oakland County Corridor Study Steering Committee; and

Whereas, Representative Stakoe's knowledge and experience in local government and law enforcement have been an invaluable resource in the legislature. He served with distinction as chair of the Local Government and Urban Policy Committee during the Ninety-third Legislature, as well as on the Commerce, Tax Policy, Criminal Justice, and Judiciary Committees. He was a most effective contributor to policy discourse as a member of the Higher Education, Tourism, Outdoor Recreation, and Natural Resources and Michigan Capitol Committees as well; now, therefore, be it

Resolved by the House of Representatives, That we offer this tribute to commend and thank the Honorable John Stakoe for his notable contributions to this legislative body; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Stakoe as evidence of our gratitude for his dedication to public service.

Pending the reference of the resolution to a committee,

Rep. Angerer 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.

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

House Resolution No. 505.

A resolution of tribute for the Honorable Glenn Steil, Jr.

Whereas, As he concludes his service to the Michigan House of Representatives, the members of this legislative body deem it a great honor to congratulate Representative Steil at the end of his 6 years of service. Born and raised in Grand Rapids and the son of a former State Senator, Glenn Steil was exposed to the political process at an early age and developed leadership skills through observation and participation. He earned associate's and bachelor's degrees from Davenport University on his way to becoming vice president in his family's furniture business. His experience and responsible leadership served him well in his 3-term career of public service in the House, where colleagues and staff members appreciated his outstanding work; and

Whereas, Representative Steil believes that future generations are our state's greatest natural resource and has worked diligently to protect their interests. He has generated funding to expand a YMCA, secured funds for Grand Rapids Youth Commonwealth, and voted often to protect the educational quality of our children. He has kept a watchful eye on our school systems while serving on the Education Committee and, as a member of the Appropriations Committee during the Ninety-second and Ninety-third Legislatures, worked to develop the budgets for higher education, school aid, the Department of Education, and the Family Independence Agency. He also chaired the Judiciary Subcommittee in 2005-2006; and

Whereas, Representative Steil also utilized his considerable business experience and background to serve with distinction on the Labor and Tax Policy Committees as well as serving as vice-chair of the Appropriations Subcommittee on Economic Development. His knowledge and deep personal belief in our system of self-government have made him a most effective contributor to the legislative process; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of gratitude to commend and thank the Honorable Glenn Steil, Jr., for his notable contribution to this legislative body and our entire state; and be it further

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

Pending the reference of the resolution to a committee,

Rep. Angerer 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. Cushingberry, Bieda, Brown, Clack, Condino, Constan, Dean, Donigan, Garfield, Gonzales, Hammon, Hansen, Hopgood, Rick Jones, Robert Jones, Lahti, LaJoy, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Nitz, Polidori, Rocca, Sak, Shaffer, Sheltrown, Spade, Stahl, Tobocman and Vagnozzi offered the following resolution:

House Resolution No. 506.

A resolution to urge the Federal Highway Administration to designate Woodward Avenue an All-American Road under its Scenic Byways Program.

Whereas, The All-American Roads and Scenic Byways program helps preserve the beauty and importance of roads that have become American icons because of their scenic, natural, historic, cultural, archeological, or recreational qualities. A grant program was created to help preserve and protect these designated roads and byways and to promote tourism and economic development; and

Whereas, All-American Roads are destinations unto themselves and provide a unique American driving experience. Travelers on these roads can look into the heart and soul of America and connect with the stories which have made America what it is today. All-American roads have a special quality that is not duplicated anywhere else in the United States; and

Whereas, Woodward Avenue has a unique automobile heritage that has had a global influence. It is a story of innovation, ingenuity, and creativity that is appealing to both a national and international audience. Piquette, Henry Ford's first factory where the Model T was born, Ford Highland Park, and General Motors World Headquarters are witnesses to the birth of the modern assembly line and the perfection of mass production on Woodward Avenue. This heritage is celebrated today in the annual Woodward Avenue Dream Cruise, which draws millions of automobile enthusiasts to Woodward Avenue every summer; and

Whereas, The Woodward Avenue story is not just one of automobile heritage, but also of a creative and innovative automotive future. Research into alternative fuels and other new technologies is happening along Woodward Avenue at Next Energy, Wayne State University, Tech Town, the College of Creative Studies, Cranbrook, and a number of other emerging creative sector companies. Add to that the robust music heritage and world class cultural institutions along Woodward Avenue, and it becomes a truly unique international travel destination; now, therefore, be it

Resolved by the House of Representatives, That we urge the Federal Highway Administration to designate Woodward Avenue an All-American Road under its Scenic Byways Program; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Highway Administration.

The resolution was referred to the Committee on Transportation.

Reps. Cushingberry, Agema, Bieda, Brown, Clack, Condino, Constan, Dean, Donigan, Gonzales, Hammon, Hansen, Hopgood, Horn, Rick Jones, Robert Jones, Lahti, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Nitz, Polidori, Rocca, Sak, Shaffer, Sheltrown, Spade, Vagnozzi and Moss offered the following resolution:

House Resolution No. 507.

A resolution to urge the U.S. Alcohol and Tobacco Tax and Trade Bureau to waive any taxes or fees related to distilled spirits for plants making ethanol solely for fuel use.

Whereas, Many people believe that ethanol provides a beneficial alternative to gasoline for the nation's transportation needs. Americans face significant energy challenges, such as climate change and uncertain oil supplies, related to our dependence on petroleum-derived gasoline from foreign sources. Widespread domestic production of ethanol and its use in U.S. cars and trucks can help us decrease our dependence on foreign oil and mitigate climate change; and

Whereas, There is generally only one difference between plants that produce ethanol for fuel use and those that produce ethanol for alcoholic beverage use. Both types of plants facilitate the fermentation of various organic materials to produce ethanol, which is then distilled. However, fuel ethanol plants add a denaturant to the ethanol to make it unfit for human consumption; and

Whereas, The U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) oversees production facilities where ethanol is produced whether it is for beverage or fuel purposes. The TTB may charge ethanol producers certain fees and taxes; and

Whereas, The U.S. Government has recognized the importance of expanding the production and use of ethanol and other alternative transportation fuels. The Renewable Fuel Standard, enacted by Congress in 2005, mandates that renewable transportation fuels comprise a certain percentage, which increases each year, of the nation's fuel supply. The U.S. Department of Energy has invested hundreds of millions of dollars in expanding the number of plants producing ethanol from cellulose; and

Whereas, The TTB should follow the lead of other federal agencies and do all it can to promote, not discourage, the widespread production of fuel ethanol plants throughout the country. The fees and taxes that the TTB may charge to fuel ethanol plants can be a disincentive for people thinking about investing in such a business; now, therefore, be it

Resolved by the House of Representatives, That we urge the U.S. Alcohol and Tobacco Tax and Trade Bureau to waive any taxes or fees related to distilled spirits for plants making ethanol solely for fuel use; and be it further

Resolved, That copies of this resolution be transmitted to the Director of the U.S. Alcohol and Tobacco Tax and Trade Bureau.

The resolution was referred to the Committee on Energy and Technology.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, December 5:

House Bill Nos. 6763 6764 6765

Senate Bill Nos. 1670 1671 1672

The Clerk announced the enrollment printing and presentation to the Governor on Friday, December 5, for her approval of the following bill:

Enrolled House Bill No. 4905 at 2:18 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Monday, December 8, for her approval of the following bills:

Enrolled House Bill No. 4902 at 9:30 a.m.

Enrolled House Bill No. 5745 at 9:32 a.m.

Enrolled House Bill No. 5746 at 9:34 a.m.

Enrolled House Bill No. 5748 at 9:36 a.m.

Enrolled House Bill No. 5877 at 9:38 a.m.

Enrolled House Bill No. 6368 at 9:40 a.m.

Reports of Standing Committees

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

House Bill No. 6420, entitled

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending section 8 (MCL 125.2788), as amended by 2006 PA 667.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Dean, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok and Meltzer
Nays: None

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

Senate Bill No. 816, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 19 (MCL 125.2169), as amended by 1993 PA 333.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Dean, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok and Meltzer
Nays: None

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

Senate Bill No. 1567, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 437 (MCL 208.1437), as amended by 2008 PA 89.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meisner, Robert Jones, Byrum, Dean, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones and Meltzer
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2008

Present: Reps. Meisner, Robert Jones, Byrum, Dean, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones and Meltzer

Absent: Reps. Accavitti, Clemente, Coulouris, Griffin and Knollenberg

Excused: Reps. Accavitti, Clemente, Coulouris, Griffin and Knollenberg

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

Senate Bill No. 677, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21556 and 21559 (MCL 324.21556 and 324.21559), section 21556 as added by 2006 PA 321 and section 21559 as added by 2006 PA 322.

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, Bauer, Bennett, Byrnes, Espinoza, Gonzales, Hammel, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Acciavatti, Caswell, Shaffer, Hansen, Proos, Agema and Moss

Nays: None

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

Senate Bill No. 1489, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105, 82106, and 82126 (MCL 324.82105, 324.82106, and 324.82126), section 82105 as amended by 2008 PA 145, section 82106 as amended by 2004 PA 587, and section 82126 as amended by 2008 PA 27.

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, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Hansen and Nofs

Nays: None

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

Senate Bill No. 1490, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82118 (MCL 324.82118), as amended by 2004 PA 587, and by adding section 82110a.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Lahti, McDowell, Alma Smith, Spade, Vagnozzi, Acciavatti, Shaffer, Booher and Hansen

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: Tuesday, December 9, 2008

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

Absent: Reps. Hood, Jackson, Brandenburg and Amos

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

House Bill No. 5754, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson and Horn
Nays: None

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

House Bill No. 5755, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 5f, 5k, and 5o (MCL 28.425f, 28.425k, and 28.425o), sections 5f and 5o as amended by 2002 PA 719 and section 5k as added by 2000 PA 381.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson and Horn
Nays: None

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

House Bill No. 6280, 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 2008 PA 24.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson and Horn
Nays: None

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

House Bill No. 6463, entitled

A bill to regulate the use of ropes, chains, wires, or similar devices in blocking access to land; and to provide for penalties.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson and Horn
Nays: None

The Committee on Tourism, Outdoor Recreation and Natural Resources, by Rep. Sheltroun, Chair, reported
Senate Bill No. 1615, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 42702 and 42713 (MCL 324.42702 and 324.42713), section 42702 as amended by 2004 PA 537 and section 42713 as added by 1995 PA 57.

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. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2008

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

Absent: Reps. Walker and Stakoe

Excused: Reps. Walker and Stakoe

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

Senate Bill No. 291, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Warren, Schuitmaker, Stakoe and Rocca

Nays: None

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

Senate Bill No. 292, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca

Nays: None

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

Senate Bill No. 660, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca
Nays: None

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

Senate Bill No. 661, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 16t and 43 of chapter XVII (MCL 777.16t and 777.43), section 16t as amended by 2004 PA 112 and section 43 as amended by 2002 PA 666.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca
Nays: None

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

Senate Bill No. 1066, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 3a and 320d.

With the recommendation that the substitute (H-2)* be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Schuitmaker, Elsenheimer, Rick Jones and Rocca
Nays: None

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

Senate Bill No. 1193, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

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

1. Amend page 4, following line 14, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2009."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca
Nays: None

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

Senate Bill No. 1413, entitled

A bill to allow the state of Michigan to enter into a compact for organizing an electronic information sharing system among the federal government and the states that will exchange criminal history records for certain purposes.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Schuitmaker, Elsenheimer, Rick Jones and Rocca
 Nays: None

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

Senate Bill No. 1622, entitled

A bill to amend 1977 PA 72, entitled "The medicaid false claim act," by amending sections 2, 7, 10a, 10c, 11, and 12 (MCL 400.602, 400.607, 400.610a, 400.610c, 400.611, and 400.612), sections 2 and 7 as amended by 1984 PA 333 and sections 10a and 10c as added and section 11 as amended by 2005 PA 337, and by adding sections 14 and 15.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Schuitmaker, Elsenheimer, Rick Jones and Rocca
 Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2008

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

Absent: Reps. Meisner, Scott and David Law

Excused: Reps. Meisner, Scott and David Law

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Energy and Technology from further consideration of **House Bill No. 4255**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4141**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 1252**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1576**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1578**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1580**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1581**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1588**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1589**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1590**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1592**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1272**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 265**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 492**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1524**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 1525**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **Senate Bill No. 1558**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on New Economy and Quality of Life from further consideration of **Senate Bill No. 208**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Health Policy from further consideration of **House Bill No. 5880**.

Rep. LaJoy

Messages from the Governor

Date: December 8, 2008

Time: 5:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6414 (Public Act No. 304, I.E.), being

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 642 (MCL 257.642) and by adding sections 20b and 20c.

(Filed with the Secretary of State December 9, 2008, at 9:51 a.m.)

Communications from State Officers

The following communication from the Department of Management and Budget was received and read:

December 1, 2008

Section 298c of Public Act 431 of 1984 requires the Department of Management and Budget to report annually regarding the progress of the Michigan Capitol Park. This park encompasses the Veterans Memorial Park, and is the future site of the Michigan Law Enforcement Officers Memorial Monument.

Since October of 2007, there have been no changes in the development or operation of the Michigan Capitol Park, or to the master plan.

If you have any further questions regarding the Michigan Capitol Park, please do not hesitate to contact me at 373-0666.

Sincerely,
Lisa Webb Sharpe
Director

The communication was referred to the Clerk.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported
Senate Bill No. 1558, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525, 537, 541, and 603 (MCL 436.1525, 436.1537, 436.1541, and 436.1603), sections 525, 537, and 603 as amended by 2008 PA 218 and section 541 as amended by 2006 PA 253, and by adding section 545.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2008

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

Absent: Reps. Scott, Marleau and Ward

Excused: Reps. Scott, Marleau and Ward

Rep. Calley moved that the House adjourn.
The motion prevailed, the time being 5:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 10, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

