

No. 4
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House Chamber, Lansing, Thursday, January 19, 2006.

10:30 a.m.

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

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

Accavitti—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—excused	Espinoza—present	Lemmons, III—present	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsey—present	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—excused	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—present	Green—present	Miller—present	Stakoe—present
Brown—present	Hansen—present	Moolenaar—present	Steil—present
Byrnes—present	Hildenbrand—present	Moore—present	Stewart—present
Byrum—present	Hood—present	Mortimer—present	Taub—present
Casperson—present	Hoogendyk—present	Murphy—present	Tobocman—present
Caswell—present	Hopgood—present	Newell—present	Vagnozzi—present
Caul—present	Huizenga—present	Nitz—present	Van Regenmorter—excused
Cheeks—present	Hummel—present	Nofs—present	Vander Veen—present
Clack—excused	Hune—present	Palmer—present	Walker—present
Clemente—present	Hunter—excused	Palsrok—present	Ward—excused
Condino—present	Jones—present	Pastor—present	Waters—present
Cushingberry—excused	Kahn—present	Pavlov—present	Wenke—present
DeRoche—present	Kolb—present	Pearce—present	Whitmer—present
Dillon—present	Koiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present

Rep. Marsha G. Cheeks, from the 6th District, offered the following invocation:

“Almighty, mighty merciful God, THANK YOU for being Our Father, the creator of all things. THANK YOU for all that You have given, all that You are giving, and all that You will give. Father, we know we are not worthy, yet You have provided the vision and the resources we need to carry out Your mission. USE US! I am humbled and honored that You have chosen me to serve. I ask that You consistently remind us of our responsibilities, and to guide our decisions for Your people. Order our thoughts and our steps Father. Please continue to provide us with the energy and the commitment to do YOUR will. Remind us Father; in all that we do, we are here to serve only YOU! Remind us Father, what a privilege it is to carry, everything to YOU in prayer. Never let us forget, What an AWESOME GOD WE SERVE! These prayers, and many, many others, we ask in the name of Your son Jesus, Amen.”

Rep. Palmer moved that Reps. Van Regenmorter and Ward be excused from today’s session.
The motion prevailed.

Rep. Sak moved that Reps. Adamini, Clack, Cushingberry, Hunter and McConico be excused from today’s session.
The motion prevailed.

Rep. Elsenheimer moved that Rep. Vander Veen be excused temporarily from today’s session.
The motion prevailed.

Third Reading of Bills

House Bill No. 4889, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 733 (MCL 257.733), as amended by 2004 PA 62.

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

Roll Call No. 3

Yeas—74

Anderson	Farrah	Lemmons, III	Plakas
Angerer	Garfield	Lemmons, Jr.	Polidori
Ball	Gillard	Lipsey	Proos
Baxter	Gleason	Marleau	Sak
Bennett	Gonzales	Mayes	Shaffer
Booher	Green	McDowell	Sheltrown
Brown	Hansen	Meisner	Spade
Byrnes	Hildenbrand	Meyer	Stakoe
Byrum	Hood	Miller	Steil
Casperson	Hopgood	Moore	Stewart
Caswell	Hummel	Mortimer	Tobocman
Caul	Jones	Murphy	Vagnozzi
Cheeks	Kahn	Newell	Walker
Clemente	Kolb	Nitz	Waters
Donigan	Kooiman	Nofs	Wenke
Elsenheimer	LaJoy	Palsrok	Whitmer
Emmons	Law, David	Pavlov	Williams
Espinoza	Law, Kathleen	Pearce	Zelenko
Farhat	Leland		

Nays—26

Accavitti	Dillon	Moolenaar	Sheen
Acciavatti	Drolet	Palmer	Smith, Alma
Amos	Gaffney	Pastor	Smith, Virgil
Bieda	Gosselin	Robertson	Stahl
Brandenburg	Hoogendyk	Rocca	Taub
Condino	Huizenga	Schuitmaker	Wojno
DeRoche	Hune		

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Rep. Vander Veen, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 3. Had I been present, I would have voted ‘yea’.”

House Bill No. 5240, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 5, 320a, 627, 628, 629, and 629c (MCL 257.5, 257.320a, 257.627, 257.628, 257.629, and 257.629c), section 320a as amended by 2004 PA 495, section 627 as amended by 2004 PA 62, section 628 as amended by 2003 PA 65, section 629 as amended by 1988 PA 368, and section 629c as amended by 1996 PA 320; and to repeal acts and parts of acts.

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

Roll Call No. 4**Yeas—101**

Accavitti	Espinoza	Leland	Robertson
Acciavatti	Farhat	Lemmons, III	Rocca
Amos	Farrah	Lemmons, Jr.	Sak
Anderson	Gaffney	Lipsey	Schuitmaker
Angerer	Garfield	Marleau	Shaffer
Ball	Gillard	Mayes	Sheen
Baxter	Gleason	McDowell	Sheltrown
Bennett	Gonzales	Meisner	Smith, Alma
Bieda	Gosselin	Meyer	Smith, Virgil
Booher	Green	Miller	Spade
Brandenburg	Hansen	Moolenaar	Stahl
Brown	Hildenbrand	Moore	Stakoe
Byrnes	Hood	Mortimer	Steil
Byrum	Hoogendyk	Murphy	Stewart
Casperson	Hopgood	Newell	Taub
Caswell	Huizenga	Nitz	Tobocman
Caul	Hummel	Nofs	Vagnozzi
Cheeks	Hune	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker

Condino	Kahn	Pastor	Waters
DeRoche	Kolb	Pavlov	Wenke
Dillon	Kooiman	Pearce	Whitmer
Donigan	LaJoy	Plakas	Williams
Drolet	Law, David	Polidori	Wojno
Elsenheimer	Law, Kathleen	Proos	Zelenko
Emmons			

Nays—0

In The Chair: Kooiman

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

House Bill No. 5241, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 61 (MCL 257.1861).
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 5**Yeas—101**

Accavitti	Espinoza	Leland	Robertson
Acciavatti	Farhat	Lemmons, III	Rocca
Amos	Farrah	Lemmons, Jr.	Sak
Anderson	Gaffney	Lipse	Schuitmaker
Angerer	Garfield	Marleau	Shaffer
Ball	Gillard	Mayer	Sheen
Baxter	Gleason	McDowell	Sheltrown
Bennett	Gonzales	Meisner	Smith, Alma
Bieda	Gosselin	Meyer	Smith, Virgil
Booher	Green	Miller	Spade
Brandenburg	Hansen	Moolenaar	Stahl
Brown	Hildenbrand	Moore	Stakoe
Byrnes	Hood	Mortimer	Steil
Byrum	Hoogendyk	Murphy	Stewart
Casperson	Hopgood	Newell	Taub
Caswell	Huizenga	Nitz	Tobocman
Caul	Hummel	Nofs	Vagnozzi
Cheeks	Hune	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker
Condino	Kahn	Pastor	Waters
DeRoche	Kolb	Pavlov	Wenke
Dillon	Kooiman	Pearce	Whitmer
Donigan	LaJoy	Plakas	Williams
Drolet	Law, David	Polidori	Wojno
Elsenheimer	Law, Kathleen	Proos	Zelenko
Emmons			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hansen, Accavitti, Amos, Ball, Booher, Brandenburg, Brown, Byrnes, Byrum, Casperson, Caswell, Caul, Elsenheimer, Farhat, Gaffney, Garfield, Gillard, Gleason, Gonzales, Green, Hildenbrand, Hoppood, Hummel, LaJoy, Kathleen Law, Leland, Lemmons, III, Lemmons, Jr., Marleau, Mayes, Meyer, Mortimer, Murphy, Newell, Nitz, Palmer, Pavlov, Pearce, Plakas, Proos, Shaffer, Sheen, Sheltroun, Stahl, Stakoe, Taub, Vagnozzi, Vander Veen and Zelenko offered the following resolution:

House Resolution No. 181.

A resolution to memorialize the Congress of the United States to fund fully the Select Michigan agricultural program through the United States Department of Agriculture.

Whereas, The Michigan Department of Agriculture introduced the Select Michigan campaign in the Grand Rapids area to encourage Michigan residents to purchase locally grown and produced foods. Recently expanded to the Detroit area, the program uses posters, banners, and stickers in Michigan grocery stores and farmers' markets to identify locally grown food products. Since 2001, the Select Michigan program has highlighted the numerous Michigan-grown products available in the state, including apples, asparagus, blueberries, cherries, chestnuts, corn, dry beans, honey, maple syrup, peaches, and strawberries; and

Whereas, Access to fresh and nutritious food products is vital to the health and well-being of Michigan residents. Michigan farms, which are second in the nation in the diversity of agricultural products grown, provide residents with a wide variety of locally grown fruits and vegetables. Identifying and marketing these products to the local population enables residents to support Michigan's agricultural industry, which contributes significantly to Michigan's economic well-being. The impact of Michigan's agriculture on our economy is estimated to be \$60.1 billion annually and growing; and

Whereas, In 2001, a one-time block grant of \$3.75 million from the United States Department of Agriculture provided support to launch the Select Michigan program. The program is able to continue due to a unique funding partnership involving the private sector and the federal government. However, to ensure all Michigan residents have access to fresh and nutritious locally grown food products and allow the Select Michigan program to expand to encompass the state, full funding of this program by the federal government is necessary; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to fund fully the Select Michigan agricultural program through the United States Department of Agriculture; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Agriculture.

Rep. Schuitmaker offered the following resolution.

House Resolution No. 182.

A resolution to memorialize the Congress and the President of the United States to increase funding for the Low Income Home Energy Assistance Program (LIHEAP).

Whereas, Many indicators predict home heating costs this winter will be excessively high. Hurricanes Katrina and Rita have disrupted the energy infrastructure of our nation and natural gas, electric, and heating oil prices are expected to spike. The cost of natural gas in Michigan may exceed \$13.00 per thousand cubic feet by January 2006. In states like Michigan, where the winters are typically long, cold, and bitter, residents are expecting home heating bills to be approximately 50 percent higher than they were last year; and

Whereas, The Low Income Home Energy Assistance Program (LIHEAP) is the most crucial energy assistance program in the country. LIHEAP, a federal block grant program, provides the bulk of funding for energy assistance programs in almost every state and has been doing so for almost 25 years. LIHEAP helps the elderly, people with disabilities, families with young children, and the working poor. LIHEAP prevents people from having to choose between heating their homes and buying food and medicines for themselves or their families; and

Whereas, The LIHEAP program has been struggling to keep pace with the number of households requiring help. Rising poverty, an aging population, increased heating costs, and decreased funding levels have placed a strain on the LIHEAP program the past few years. Last year, for the first time ever, Michigan had to close their LIHEAP program for 4 months due to a lack of funds, and still Michigan is currently receiving a smaller LIHEAP allocation than last year; and

Whereas, State energy assistance programs are expecting to see a surge of LIHEAP applications this winter heating season. Skyrocketing home heating costs and the many economic challenges threatening Michigan and other states will cause more families to seek help. However, the current level of LIHEAP funding will only provide enough funds to help a fraction of those eligible for assistance; and

Whereas, Immediately including emergency LIHEAP funds in the next available appropriations bill and significantly increasing fiscal year 2006 LIHEAP funding will ensure that energy assistance is available for all those in need. The additional funds will allow families in Michigan and across the country to meet their basic energy needs and avoid crisis; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress and the President of the United States to increase funding for the Low Income Home Energy Assistance Program (LIHEAP); and be it further

Resolved, That copies of this resolution be transmitted to the Office of President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

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

Reports of Standing Committees

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **House Bill No. 5508, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending the title and sections 2, 3, 5, 9b, 9d, 9g, 9h, 9i, 9j, 10b, 10c, and 10d (MCL 290.642, 290.643, 290.645, 290.649b, 290.649d, 290.649g, 290.649h, 290.649i, 290.649j, 290.650b, 290.650c, and 290.650d), the title and section 2 as amended and sections 9b, 9d, 9g, 9h, 9j, and 10c as added by 1993 PA 236, sections 3, 5, and 10b as amended by 2002 PA 13, section 9i as amended by 2004 PA 278, and section 10d as added by 1993 PA 231, and by adding sections 9k and 9l; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Palmer, LaJoy, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palsrok, Chair, of the Committee on Natural Resources, Great Lakes, Land Use, and Environment, was received and read:

Meeting held on: Thursday, January 19, 2006

Present: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Absent: Rep. Ward

Excused: Rep. Ward

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported **Senate Bill No. 366, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74103a.

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. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 19, 2006

Present: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

The Committee on Insurance, by Rep. Hune, Chair, reported

House Bill No. 5387, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 255. 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. Hune, Emmons, Ball, Hildenbrand, Marleau, Hood, Leland, Anderson, Wojno, Condino and Farrah

Nays: Reps. Robertson, Sheen and Mortimer

The Committee on Insurance, by Rep. Hune, Chair, reported

Senate Bill No. 736, entitled

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," by amending sections 4 and 4a (MCL 801.4 and 801.4a), as amended by 1984 PA 119.

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. Hune, Robertson, Emmons, Sheen, Ball, Hildenbrand, Marleau, Mortimer, Hood, Leland, Anderson, Wojno, Condino and Farrah

Nays: None

The Committee on Insurance, by Rep. Hune, Chair, reported

House Resolution No. 162.

A resolution to memorialize the United States Congress to oppose the State Modernization and Regulatory Transparency (SMART) Act.

(For text of resolution, see House Journal No. 104 of 2005, p. 2323.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hune, Robertson, Emmons, Sheen, Ball, Hildenbrand, Marleau, Mortimer, Hood, Leland, Anderson, Wojno, Condino and Farrah

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 19, 2006

Present: Reps. Hune, Robertson, Emmons, Gaffney, Sheen, Ball, Hildenbrand, Marleau, Mortimer, Hood, Leland, Anderson, Wojno, Condino and Farrah

Absent: Reps. David Law and Adamini

Excused: Reps. David Law and Adamini

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 Thursday, January 19:

House Bill Nos. 5551 5552 5553 5554 5555 5556 5557 5558 5559 5560

The Clerk announced that the following Senate bills had been received on Thursday, January 19:

Senate Bill Nos. 956 957

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4244, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 21a.

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

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

House Bill No. 5355, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 3 (MCL 205.3), as amended by 2003 PA 92.

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

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

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

House Bill No. 5356, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to

provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 6.

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

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

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

House Bill No. 5357, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 21a.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 21b.

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

House Bill No. 5358, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 21 (MCL 205.21), as amended by 2002 PA 657.

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

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

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

House Bill No. 5359, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to

provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 21 (MCL 205.21), as amended by 2002 PA 657.

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

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

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

House Bill No. 5360, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 21 (MCL 205.21), as amended by 2002 PA 657.

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

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

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

House Bill No. 5361, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 21 (MCL 205.21), as amended by 2002 PA 657.

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

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

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

House Bill No. 5362, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 6.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to

provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” (MCL 205.1 to 205.31) by adding section 6a.

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

House Bill No. 5363, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 30c (MCL 205.30c), as amended by 2002 PA 616.

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

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

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

House Bill No. 5364, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 53a and 53b (MCL 211.53a and 211.53b), section 53b as amended by 2003 PA 105, and by adding section 27e.

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

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

A bill to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 53b (MCL 211.53b), as amended by 2003 PA 105.

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

House Bill No. 5386, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4 (MCL 205.94), as amended by 2004 PA 172.

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

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

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

Senate Bill No. 956, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and certain other state purposes for the fiscal year ending September 30, 2006; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 957, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 36 (MCL 208.36), as amended by 1995 PA 284.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Lemmons, III, Lemmons, Jr., Leland, Virgil Smith and Clack introduced

House Bill No. 5561, entitled

A bill to require residents of a local unit of government to be given the right of first refusal in the purchase of certain property.

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

Reps. Elsenheimer and Moore introduced

House Bill No. 5562, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541).

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

Reps. Kolb, Alma Smith, Kathleen Law, Anderson, Gleason and Lipsey introduced

House Bill No. 5563, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 2004 PA 584.

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

Reps. Kolb, Alma Smith, Kathleen Law, Tobocman, Lipsey, Miller and Gleason introduced

House Bill No. 5564, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," (MCL 421.1 to 421.75) by adding section 28b.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. Kolb, Alma Smith, Tobocman and Gleason introduced

House Bill No. 5565, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 1 (MCL 125.271), as amended by 1996 PA 47.

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

Reps. Kolb, Alma Smith, Tobocman and Gleason introduced

House Bill No. 5566, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 1 (MCL 125.201), as amended by 1996 PA 46.

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

Reps. Kolb, Alma Smith, Tobocman and Gleason introduced

House Bill No. 5567, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 1 (MCL 125.581), as amended by 1995 PA 36.

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

Reps. Stakoe, Vander Veen, Gosselin, Hildenbrand, Huizenga, Sak, Taub, Stahl, Tobocman, Gaffney, Hune, Moore, Hansen, Green, Mortimer, LaJoy and Casperson introduced

House Bill No. 5568, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

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

Reps. Dillon, Adamini, Clemente, Angerer, Sheltroun, Mayes, Gillard, Gleason, Tobocman, Wojno, Anderson, Sak, Bieda and Pearce introduced

House Bill No. 5569, entitled

A bill to create a task force to report to the legislature on public pensions; to make appropriations; and to describe certain powers and duties of the task force.

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

Rep. Angerer moved that the House adjourn.

The motion prevailed, the time being 1:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, January 24, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

