

**No. 30**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

---

---

House Chamber, Lansing, Wednesday, March 22, 2006.

1:00 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	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—e/d/s	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—present	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—present
Cheeks—present	Hummel—present	Nofs—present	Vander Veen—present
Clack—present	Hune—present	Palmer—e/d/s	Walker—present
Clemente—present	Hunter—present	Palsrok—present	Ward—present
Condino—present	Jones—present	Pastor—present	Waters—present
Cushingberry—present	Kahn—present	Pavlov—present	Wenke—present
DeRoche—present	Kolb—present	Pearce—present	Williams—present
Dillon—present	Kooiman—present	Plakas—present	Wojno—present
Donigan—present	LaJoy—present	Polidori—present	Zelenko—present
Drolet—present	Law, David—present	Proos—present	

e/d/s = entered during session

Rep. Jack Hoogendyk, from the 61st District, offered the following invocation:

“From Psalm 25: To You, O LORD, I lift up my soul. In You I trust, O my God. Do not let me be put to shame, nor let my enemies triumph over me. No one whose hope is in You will ever be put to shame. But they will be put to shame who are treacherous without excuse. Show me Your ways O LORD, Teach me Your Paths, Guide me in Your truth and teach me. For You are God my savior and my hope is in You all day long. Today, LORD, we do acknowledge You as our creator and as our Guide and we ask for Your wisdom to be bestowed upon each one of us. We know that You care about the affairs of men, You care about the affairs of this state and You care about the affairs of this legislative body. We thank You for Your love and ask for Your grace in Jesus’ name, Amen.”

### Second Reading of Bills

#### House Bill No. 5493, entitled

A bill entering into the nurse licensure compact.

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

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

Rep. Vander Veen moved to amend the bill as follows:

1. Amend page 13, line 18, after “1.” by inserting “(1)”.
2. Amend page 13, following line 19, by inserting:

“(2) Pursuant to Article X(a), notice of withdrawal from this compact is given effective December 31, 2011, and this act is repealed effective July 1, 2012.”

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 13, following line 22, by inserting:

“Enacting section 3. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law.”

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

Rep. Stakoe moved to amend the bill as follows:

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

“d. A nurse who has been granted multi-state licensing privileges by a party state shall notify the board of nursing in this state, on a standard form provided by the board, before commencing any nursing practice in this state, of the identity and location of the nurse’s prospective practice location, the nurse’s current address, and other contact information as requested. A nurse shall maintain at all times a current address and contact information during practice in this state.” and relettering the remaining paragraphs.

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

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

The motion prevailed.

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

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

Rep. Stakoe moved that Rep. Huizenga be excused from the balance of today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5493, entitled

A bill entering into the nurse licensure compact.

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

**Roll Call No. 258****Yeas—63**

Accavitti	Elsenheimer	Marleau	Schuitmaker
Acciavatti	Emmons	McDowell	Shaffer
Adamini	Farhat	Meyer	Sheen
Amos	Gaffney	Moolenaar	Sheltrown
Angerer	Garfield	Moore	Stahl
Ball	Gosselin	Mortimer	Stakoe
Baxter	Green	Newell	Steil
Booher	Hansen	Nitz	Stewart
Brandenburg	Hildenbrand	Nofs	Taub
Brown	Hoogendyk	Palsrok	Van Regenmorter
Casperson	Hummel	Pastor	Vander Veen
Caswell	Hune	Pavlov	Walker
Caul	Jones	Pearce	Ward
DeRoche	Kooiman	Proos	Wenke
Dillon	LaJoy	Robertson	Wojno
Drolet	Law, David	Rocca	

**Nays—41**

Anderson	Espinoza	Law, Kathleen	Polidori
Bennett	Farrah	Leland	Sak
Bieda	Gillard	Lemmons, Jr.	Smith, Alma
Byrnes	Gleason	Lipsev	Smith, Virgil
Byrum	Gonzales	Mayes	Spade
Cheeks	Hood	McConico	Tobocman
Clack	Hopgood	Meisner	Vagnozzi
Clemente	Hunter	Miller	Waters
Condino	Kahn	Murphy	Williams
Cushingberry	Kolb	Plakas	Zelenko
Donigan			

In The Chair: Kooiman

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

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

A bill entering into the nurse licensure compact; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

**Second Reading of Bills****House Bill No. 5750, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16106 and 17211 (MCL 333.16106 and 333.17211), section 16106 as amended by 2002 PA 643.

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

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

"Enacting section 3. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law."

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

Rep. Stakoe moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

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

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

**House Bill No. 5750, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16106 and 17211 (MCL 333.16106 and 333.17211), section 16106 as amended by 2002 PA 643.

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

**Roll Call No. 259**

**Yeas—63**

Accavitti	Elsenheimer	Law, David	Rocca
Acciavatti	Emmons	Marleau	Schuitmaker
Adamini	Farhat	McDowell	Shaffer
Amos	Gaffney	Meyer	Sheen
Angerer	Garfield	Moolenaar	Sheltrown
Ball	Gosselin	Moore	Stahl
Baxter	Green	Mortimer	Stakoe
Booher	Hansen	Newell	Steil
Brandenburg	Hildenbrand	Nitz	Taub
Brown	Hoogendyk	Nofs	Van Regenmorter
Casperson	Hummel	Palsrok	Vander Veen
Caswell	Hune	Pastor	Walker
Caul	Jones	Pavlov	Ward
DeRoche	Kahn	Pearce	Wenke
Dillon	Kooiman	Proos	Wojno
Drolet	LaJoy	Robertson	

**Nays—41**

Anderson	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons, Jr.	Smith, Alma
Bieda	Gillard	Lipsey	Smith, Virgil
Byrnes	Gleason	Mayes	Spade
Byrum	Gonzales	McConico	Stewart
Cheeks	Hood	Meisner	Tobocman
Clack	Hopgood	Miller	Vagnozzi
Clemente	Hunter	Murphy	Waters
Condino	Kolb	Plakas	Williams
Cushingberry	Law, Kathleen	Polidori	Zelenko
Donigan			

In The Chair: Kooiman

The House agreed to the title of the bill.

### Second Reading of Bills

#### House Bill No. 5538, entitled

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

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5538, entitled

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

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

#### Roll Call No. 260

#### Yeas—104

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

#### Nays—0

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

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

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 2006 PA 13.

The motion prevailed.

The House agreed to the title as amended.

---

Rep. Palmer entered the House Chambers.

### Second Reading of Bills

#### Senate Bill No. 859, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2003 PA 140.

The bill was read a second time.

Rep. Condino moved to amend the bill as follows:

1. Amend page 4, following line 8, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law and takes effect."

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 859, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7dd (MCL 211.7dd), as amended by 2003 PA 140.

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

#### Roll Call No. 261

#### Yeas—104

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayer	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade

Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caul	Hopgood	Nitz	Vagnozzi
Cheeks	Hummel	Nofs	Van Regenmorter
Clack	Hune	Palmer	Vander Veen
Clemente	Hunter	Palsrok	Walker
Condino	Jones	Pastor	Ward
Cushingberry	Kahn	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko

### Nays—1

Caswell

In The Chair: Kooiman

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

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

The House agreed to the full title.

### Second Reading of Bills

#### House Bill No. 5811, entitled

A bill to amend 1971 PA 227, entitled “An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies,” by amending section 3 (MCL 445.113), as amended by 2002 PA 612.

The bill was read a second time.

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 4, line 19, after “**IS**” by inserting “**EITHER AN ELECTRIC OR GAS UTILITY, OR**”.

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

Rep. Nofs moved to amend the bill as follows:

1. Amend page 4, line 18, by striking out all of subsection (6) and inserting:

“(6) **THIS SECTION DOES NOT APPLY TO A HOME SOLICITATION SALE OF NATURAL GAS OR ELECTRICITY IF THE SELLER IS ANY OF THE FOLLOWING:**

(A) **AN ELECTRIC UTILITY OR GAS UTILITY THAT IS REGULATED BY THE COMMISSION AND COMPLIES WITH ANY ORDERS OR TARIFFS ISSUED BY THE COMMISSION CONCERNING HOME**

**SOLICITATIONS BY ALTERNATIVE ELECTRIC SUPPLIERS OR ALTERNATIVE GAS SUPPLIERS IN MAKING THE SOLICITATION.**

**(B) AN ALTERNATIVE GAS SUPPLIER OR ALTERNATIVE ELECTRIC SUPPLIER LICENSED BY THE COMMISSION THAT COMPLIES WITH ANY APPLICABLE ORDERS OR TARIFFS ISSUED BY THE COMMISSION CONCERNING HOME SOLICITATIONS IN MAKING THE SOLICITATION.”.**

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

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

The motion prevailed.

**House Bill No. 5554, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 2511.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4486, entitled**

A bill to repeal 1899 PA 188, entitled “Michigan estate tax act,” (MCL 205.201 to 205.256).

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

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

Rep. Condino moved to amend the bill as follows:

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

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4811 of the 93rd Legislature is enacted into law and takes effect.”.

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

Rep. Bieda moved to amend the bill as follows:

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

“Enacting section 2. This amendatory act does not take effect unless the 109th Congress enacts legislation to make the repeal of the estate tax permanent.”.

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

Rep. Bieda demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 262**

**Yeas—48**

Accavitti  
Adamini  
Anderson  
Angerer  
Bennett  
Bieda  
Brown  
Byrnes  
Byrum  
Cheeks  
Clack  
Clemente

Condino  
Cushingberry  
Dillon  
Donigan  
Espinoza  
Farrah  
Gillard  
Gleason  
Gonzales  
Hood  
Hopgood  
Hunter

Kolb  
Law, Kathleen  
Leland  
Lemmons, Jr.  
Lipse  
Mayes  
McConico  
McDowell  
Meisner  
Miller  
Murphy  
Plakas

Polidori  
Sak  
Sheltrown  
Smith, Alma  
Smith, Virgil  
Spade  
Tobocman  
Vagnozzi  
Waters  
Williams  
Wojno  
Zelenko



**Nays—57**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caswell	Hune	Palmer	Stewart
Caul	Jones	Palsrok	Taub
DeRoche	Kahn	Pastor	Van Regenmorter
Drolet	Kooiman	Pavlov	Vander Veen
Elsenheimer	LaJoy	Pearce	Walker
Emmons	Law, David	Proos	Ward
Farhat	Marleau	Robertson	Wenke
Gaffney			

In The Chair: Kooiman

Rep. Baxter moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

**House Bill No. 4487, entitled**

A bill to amend 1979 PA 72, entitled “An act to require the governor to report certain tax information with the annual budget message to the legislature,” by repealing section 8 (MCL 21.278).

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

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

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

The motion prevailed.

**House Bill No. 4488, 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 13 (MCL 205.13), as amended by 1996 PA 479.

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

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

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

The motion prevailed.

**House Bill No. 4489, entitled**

A bill to amend 1973 PA 186, entitled “Tax tribunal act,” by amending section 79 (MCL 205.779).

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

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

Rep. Baxter moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

**House Bill No. 4490, entitled**

A bill to amend 1939 PA 330, entitled "An act to provide for access to, removal of contents from, surrender of, and discharge of liability of lessor of safe deposit boxes or compartments rented to 2 or more persons by either or any 1 of such persons or the survivor or survivors of them, unless otherwise provided in the safe deposit box or compartment rental agreement," by amending section 1 (MCL 487.721), as amended by 1994 PA 370.

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

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

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

The motion prevailed.

**House Bill No. 4491, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2517 and 3912 (MCL 700.2517 and 700.3912), section 2517 as amended by 2000 PA 177.

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

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

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

The motion prevailed.

**House Bill No. 5492, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7457 (MCL 333.7457), as added by 1988 PA 139.

The bill was read a second time.

Rep. Elsenheimer moved to amend the bill as follows:

1. Amend page 2, line 7, by striking out all of subdivision (d) and relettering the remaining subdivisions.
- The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Elsenheimer moved to amend the bill as follows:

1. Amend page 2, following line 18, by inserting:

"Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5492, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7457 (MCL 333.7457), as added by 1988 PA 139.

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

**Roll Call No. 263**

**Yeas—104**

Accavitti  
Acciavatti

Elsenheimer  
Emmons

Law, Kathleen  
Leland

Robertson  
Rocca

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

### Nays—1

Drolet

In The Chair: Kooiman

The House agreed to the title of the bill.

### House Bill No. 4478, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Oakland county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

### Roll Call No. 264

### Yeas—105

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe

Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

### Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

### House Bill No. 5747, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding chapter LXVIIA. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 265

### Yeas—105

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

Donigan  
Drolet

Law, David

Proos

Zelenko

**Nays—0**

In The Chair: Kooiman

The House agreed to the title of the bill.

**House Bill No. 5748, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16w of chapter XVII (MCL 777.16w), as amended by 2004 PA 424.

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

**Roll Call No. 266**

**Yeas—105**

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

**Nays—0**

In The Chair: Kooiman

The House agreed to the title of the bill.

**House Bill No. 5682, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 98 (MCL 250.1098), as added by 2005 PA 258.

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

**Roll Call No. 267****Yeas—105**

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

**Nays—0**

In The Chair: Kooiman

The House agreed to the title of the bill.

**Senate Bill No. 866, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 51a (MCL 388.1651a), as amended by 2005 PA 155.

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

**Roll Call No. 268****Yeas—105**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak

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

### Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title.

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4555, entitled

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

deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10k (MCL 247.660k), as amended by 1982 PA 438.

(The bill was received from the Senate on March 15, with substitute (S-4) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 16, see House Journal No. 27, p. 531.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 269

#### Yeas—105

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

#### Nays—0



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

Rep. Lemmons, III entered the House Chambers.

The Speaker laid before the House

**House Bill No. 4643, 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 section 51 (MCL 28.4251), as amended by 2002 PA 719.

(The bill was received from the Senate on March 16, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 21, see House Journal No. 28, p. 590.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Jones moved to substitute (H-2) the Senate substitute (S-4).

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

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4), as substituted (H-2), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 270**

**Yeas—94**

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

**Nays—12**

Cheeks	Hood	Leland	Smith, Alma
Condino	Hunter	Lipsey	Smith, Virgil
Donigan	Kolb	McConico	Tobocman

In The Chair: Kooiman

The House agreed to the title as amended.

**Second Reading of Bills****Senate Bill No. 1124, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278a. The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1124, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1278a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 271****Yeas—71**

Accavitti	Emmons	Lemmons, Jr.	Robertson
Acciavatti	Espinoza	Marleau	Rocca
Amos	Farhat	McConico	Sak
Anderson	Farrah	McDowell	Schuitmaker
Angerer	Gaffney	Meyer	Shaffer
Ball	Garfield	Moolenaar	Sheen
Baxter	Hansen	Moore	Stahl
Booher	Hildenbrand	Mortimer	Stakoe
Byrnes	Hoogendyk	Murphy	Steil
Byrum	Hummel	Newell	Stewart
Casperson	Hune	Nitz	Taub
Caul	Hunter	Palmer	Vagnozzi
Cheeks	Jones	Palsrok	Van Regenmorter
Clemente	Kahn	Pastor	Vander Veen
DeRoche	Kooiman	Pavlov	Walker
Donigan	LaJoy	Pearce	Ward
Drolet	Law, David	Polidori	Wenke
Elsenheimer	Lemmons, III	Proos	

**Nays—35**

Adamini	Dillon	Law, Kathleen	Smith, Alma
Bennett	Gillard	Leland	Smith, Virgil
Bieda	Gleason	Lipsey	Spade
Brandenburg	Gonzales	Mayes	Tobocman
Brown	Gosselin	Meisner	Waters
Caswell	Green	Miller	Williams
Clack	Hood	Nofs	Wojno
Condino	Hopgood	Plakas	Zelenko
Cushingberry	Kolb	Sheltrown	

In The Chair: Kooiman

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

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

A bill to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1278a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

---

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

“Mr. Speaker and members of the House:

No Vote Explanation for Senate Bill 1124.

I voted no on Senate Bill 1124 because the House substituted the language from House 5606 (H-7) into Senate Bill 1124 thus this bill puts the State Board of Education’s recommended curriculum requirements in jeopardy.

I support the State Board of Education’s recommendation for high quality graduation requirements for our high schools. Their proposal requires ALL of our public high schools to provide a high quality curriculum that addresses the needs of our children as they move forward into careers, college, or vocational preparation programs.

Unfortunately, this bill allows schools to get waivers from the requirements of the bill, effectively allowing some schools to choose NOT to implement these new higher standards. The Democratic substitute would provide flexibility to the schools by allowing for a phase-in period to reach the requirements, but NO school could try to waive the requirements completely.

This bill did not include the provision to require a foreign language in the curriculum. By leaving that requirement out of the curriculum we do a disservice to our students and leave them at a disadvantage to when they compete with students around the world in the new global economy.

This bill also muddles the requirements for social science to be taught in our high schools. This bill needs more clarification and more work before it should be allowed to become law.

This version of the bill also tie-barred to the ED FLEX legislation that is similar to the legislation that was vetoed by the Governor.

For these reasons I voted NO on Senate Bill No. 1124.”

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

“Mr. Speaker and members of the House:

I voted ‘no’ on SB 1124, which was not the subject of a House Committee hearing and indeed is an entirely different version of what passed unanimously from the Senate. Clearly, more work needs to be done on this bill, which now consists entirely of the language that was substituted into SB 1124 from HB 5606. I recognize that the process continues, and I look forward to continuing to work with my colleagues on this important legislation.”

Rep. Waters moved that Rep. Kathleen Law 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. 5675, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1230, 1230a, 1230c, 1230d, 1230g, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230c, 380.1230d, 380.1230g, 380.1535a, and 380.1539b), section 1230 as amended and section 1230c as added by 2005 PA 129, section 1230a as amended by 2005 PA 138, section 1230d as added by 2005 PA 131, and section 1230g as added and sections 1535a and 1539b as amended by 2005 PA 130, and by adding section 1230h.

(The bill was received from the Senate on March 8, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 9, see House Journal No. 24, p. 453; considered and postponed temporarily on March 9, see House Journal No. 25, p.468.)

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 272**

**Yeas—11**

Angerer	Donigan	McDowell	Spade
Byrnes	Espinoza	Murphy	Vagnozzi
Clemente	Lemmons, III	Sheltrown	

**Nays—94**

Accavitti	Emmons	Leland	Robertson
Acciavatti	Farhat	Lemmons, Jr.	Rocca
Adamini	Farrah	Lipsey	Sak
Amos	Gaffney	Marleau	Schuitmaker
Anderson	Garfield	Mayes	Shaffer
Ball	Gillard	McConico	Sheen
Baxter	Gleason	Meisner	Smith, Alma
Bennett	Gonzales	Meyer	Smith, Virgil
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Brown	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Newell	Taub
Casperson	Hoogendyk	Nitz	Tobocman

Caswell	Hopgood	Nofs	Van Regenmorter
Caul	Hummel	Palmer	Vander Veen
Cheeks	Hune	Palsrok	Walker
Clack	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Drolet	LaJoy	Proos	Zelenko
Elsenheimer	Law, David		

In The Chair: Kooiman

### 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.

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

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

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

Rep. Stakoe moved that Rule 45 be suspended.

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

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

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

### Roll Call No. 273

### Yeas—105

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

Dillon  
Donigan  
Drolet

LaJoy  
Law, David

Polidori  
Proos

Wojno  
Zelenko

**Nays—0**

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

**Third Reading of Bills**

Rep. Stakoe moved that **House Bill No. 5493** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 274**

**Yeas—61**

Accavitti  
Acciavatti  
Amos  
Angerer  
Ball  
Baxter  
Booher  
Brandenburg  
Casperson  
Caswell  
Caul  
DeRoche  
Dillon  
Drolet  
Elsenheimer  
Emmons

Farhat  
Gaffney  
Garfield  
Gosselin  
Green  
Hansen  
Hildenbrand  
Hoogendyk  
Hummel  
Hune  
Jones  
Kahn  
Kooiman  
LaJoy  
Law, David

Marleau  
McDowell  
Meyer  
Moolenaar  
Moore  
Mortimer  
Newell  
Nitz  
Nofs  
Palmer  
Palsrok  
Pastor  
Pavlov  
Pearce  
Proos

Robertson  
Rocca  
Schuitmaker  
Shaffer  
Sheen  
Sheltrown  
Stahl  
Stakoe  
Steil  
Taub  
Van Regenmorter  
Vander Veen  
Walker  
Ward  
Wenke

**Nays—44**

Adamini  
Anderson  
Bennett  
Bieda  
Brown  
Byrnes  
Byrum  
Cheeks  
Clack

Cushingberry  
Donigan  
Espinoza  
Farrah  
Gillard  
Gleason  
Gonzales  
Hood  
Hopgood

Leland  
Lemmons, III  
Lemmons, Jr.  
Lipsev  
Mayes  
McConico  
Meisner  
Miller  
Murphy

Sak  
Smith, Alma  
Smith, Virgil  
Spade  
Stewart  
Tobocman  
Vagnozzi  
Waters  
Williams

Clemente  
Condino

Hunter  
Kolb

Plakas  
Polidori

Wojno  
Zelenko

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 5750** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 275**

**Yeas—61**

Accavitti	Farhat	Marleau	Robertson
Acciavatti	Gaffney	McDowell	Rocca
Amos	Garfield	Meyer	Schuitmaker
Angerer	Gosselin	Moolenaar	Shaffer
Ball	Green	Moore	Sheen
Baxter	Hansen	Mortimer	Sheltrown
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caswell	Hune	Palmer	Taub
Caul	Jones	Palsrok	Van Regenmorter
DeRoche	Kahn	Pastor	Vander Veen
Dillon	Kooiman	Pavlov	Walker
Drolet	LaJoy	Pearce	Ward
Elsenheimer	Law, David	Proos	Wenke
Emmons			

**Nays—44**

Adamini	Cushingberry	Leland	Sak
Anderson	Donigan	Lemmons, III	Smith, Alma
Bennett	Espinoza	Lemmons, Jr.	Smith, Virgil
Bieda	Farrah	Lipsey	Spade
Brown	Gillard	Mayer	Stewart
Byrnes	Gleason	McConico	Tobocman
Byrum	Gonzales	Meisner	Vagnozzi
Cheeks	Hood	Miller	Waters
Clack	Hopgood	Murphy	Williams
Clemente	Hunter	Plakas	Wojno
Condino	Kolb	Polidori	Zelenko

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 5538** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 276****Yeas—105**

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

**Nays—0**

In The Chair: Kooiman

Rep. Stakoe moved that **Senate Bill No. 859** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 277****Yeas—105**

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipse	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayer	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade



Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

### Nays—0

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 5492** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 278

### Yeas—104

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

DeRoche  
Dillon  
Donigan

Kooiman  
LaJoy  
Law, David

Plakas  
Polidori  
Proos

Williams  
Wojno  
Zelenko

### Nays—1

Drolet

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 4478** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 279

### Yeas—101

Accavitti  
Acciavatti  
Adamini  
Amos  
Anderson  
Angerer  
Ball  
Baxter  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Casperson  
Caswell  
Caul  
Cheeks  
Clack  
Clemente  
Condino  
Cushingberry  
DeRoche  
Dillon  
Donigan

Drolet  
Elsenheimer  
Emmons  
Espinoza  
Farhat  
Farrah  
Gaffney  
Garfield  
Gillard  
Gleason  
Gonzales  
Gosselin  
Green  
Hansen  
Hildenbrand  
Hood  
Hoogendyk  
Hopgood  
Hummel  
Hune  
Jones  
Kahn  
Kolb  
Kooiman  
LaJoy

Law, David  
Leland  
Lemmons, Jr.  
Lipse  
Marleau  
Mayes  
McConico  
McDowell  
Meisner  
Meyer  
Miller  
Moolenaar  
Moore  
Mortimer  
Newell  
Nitz  
Nofs  
Palmer  
Palsrok  
Pastor  
Pavlov  
Pearce  
Polidori  
Proos  
Robertson

Rocca  
Sak  
Schuitmaker  
Shaffer  
Sheen  
Sheltrown  
Smith, Alma  
Smith, Virgil  
Spade  
Stahl  
Stakoe  
Steil  
Stewart  
Taub  
Tobocman  
Vagnozzi  
Van Regenmorter  
Vander Veen  
Walker  
Ward  
Waters  
Wenke  
Williams  
Wojno  
Zelenko

### Nays—0

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 5747** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 280****Yeas—105**

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

**Nays—0**

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 5748** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 281****Yeas—103**

Accavitti	Drolet	Leland	Rocca
Acciavatti	Elsenheimer	Lemmons, III	Sak

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

### Nays—0

In The Chair: Kooiman

Rep. Stakoe moved that **House Bill No. 5682** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 282

### Yeas—105

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipse	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman

Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

### Nays—0

In The Chair: Kooiman

Rep. Stakoe moved that **Senate Bill No. 866** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 283

### Yeas—105

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

**Nays—0**

In The Chair: Kooiman

---

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  
**Reports of Standing Committees**

The Committee on Agriculture, by Rep. Nitz, Chair, reported  
**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.

(For text of resolution, see House Journal No. 4, p. 29.)

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 21, 2006

Present: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

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

**House Bill No. 4375, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1171.

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. Palmer, Mortimer, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Nays: None

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

**House Bill No. 5760, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2004 PA 5.

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. Palmer, Mortimer, Meyer, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Clack, Vagnozzi and Polidori

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 22, 2006

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 22, 2006

Present: Reps. Huizenga, Baxter, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett and Accavitti

Absent: Reps. Emmons and McConico

Excused: Reps. Emmons and McConico

**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 Wednesday, March 22:

<b>House Bill Nos.</b>	<b>5893</b>	<b>5894</b>	<b>5895</b>	<b>5896</b>	<b>5897</b>	<b>5898</b>	<b>5899</b>	<b>5900</b>	<b>5901</b>	<b>5902</b>										
<b>Senate Bill Nos.</b>	<b>1172</b>	<b>1173</b>	<b>1174</b>	<b>1175</b>	<b>1176</b>	<b>1177</b>	<b>1178</b>	<b>1179</b>	<b>1180</b>	<b>1181</b>	<b>1182</b>	<b>1183</b>								

The Clerk announced that the following Senate bills had been received on Wednesday, March 22:

**Senate Bill Nos. 971 972 1044 1104**

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 5743, entitled**

A bill to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 1, following line 7, by striking out all of enacting section 4 and inserting:

“Enacting section 4. The legislature shall replace the single business tax imposed under the single business tax act, 1975 PA 228, MCL 208.1 to 208.145, with a tax or taxes that are more conducive to job creation, investment, and economic growth. The legislature shall not replace revenues not collected based on the repeal by this act of the single business tax act, 1975 PA 228, MCL 208.1 to 208.145, with an increase in the rate or base of any of the following:

(a) The state income tax imposed under the income tax act of 1967, 1967 PA 281, MCL 206.1 to 206.532.

(b) The sales tax imposed under the general sales tax act, 1933 PA 167, MCL 205.51 to 205.78.

(c) The use tax imposed under the use tax act, 1937 PA 94, MCL 205.91 to 205.111.

(d) Taxes collected on residential real property that is not leased or rented for more than 50% of any calendar year and on principal residences. As used in this subdivision:

(i) “Principal residence” means property exempt under section 7cc of the general property tax act, 1893 PA 206, MCL 211.7cc.

(ii) “Residential real property” means property classified as residential real property under section 34c of the general property tax act, 1893 PA 206, MCL 211.34c.

(e) Any other tax the economic incidence of which is on individuals.

Enacting section 5. Before January 1, 2007, the governor’s council of economic advisors, created in Executive Order No. 2003-8, shall develop a plan to replace all or a portion of the revenues not collected related to the repeal of the

single business tax act, 1975 PA 228, MCL 208.1 to 208.145, by this act. Before January 1, 2007, the governor's council of economic advisors shall report the plan to the governor, the senate majority leader, the speaker of the house of representatives, and the senate and house standing committees that deal with tax and finance matters."

The Senate has passed the bill as amended.

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

**Senate Bill No. 971, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35103 and 74102a (MCL 324.35103 and 324.74102a), section 35103 as amended by 1996 PA 290 and section 74102a as added by 2004 PA 392, and by adding section 74102b.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

**Senate Bill No. 972, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 2131 (MCL 324.2131), as amended by 2001 PA 174.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

**Senate Bill No. 1044, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76702 (MCL 324.76702), as added by 1995 PA 58.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

**Senate Bill No. 1104, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2534 (MCL 600.2534), as amended by 1996 PA 378.

The Senate has passed the bill.

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

**Senate Concurrent Resolution No. 39.**

A concurrent resolution to request the State Bar of Michigan and the National Legal Aid and Defender Association to issue a joint report to the Legislature on the number and types of cases and the costs resulting from court-appointed attorneys for indigent criminal cases in Michigan.

Whereas, The *Michigan Constitution of 1963*, in Article I, Section 20, provides that an accused person is ". . . to have the assistance of counsel for his or her defense" and ". . . to have such reasonable assistance as may be necessary to perfect and prosecute an appeal"; and

Whereas, The people of Michigan expect the government to administer a system of justice that is just, swift, accountable, and frugal; and

Whereas, Michigan has no accounting for the total number of misdemeanor, felony, juvenile, mental health, and appellate cases requiring the appointment of counsel; and

Whereas, Michigan has incomplete accounting for expenditures dedicated to public defense services; and

Whereas, The Michigan Supreme Court and the State Court Administrative Office have demonstrated a commendable commitment to the collection of complete data on court assignment of counsel; and

Whereas, The National Legal Aid and Defender Association is a national, nonprofit association that has a research division with a discrete national capacity for public defense data collection, research, standards-based evaluation, and technical assistance to help state and local government policymakers determine the most efficient and effective manner to deliver the constitutional right to counsel; and

Whereas, A mission of the State Bar of Michigan is to "aid in promoting improvements in the administration of justice"; and



Whereas, Both the State Bar of Michigan and the National Legal Aid and Defender Association have independent funding and the capacity to provide data collection services at no cost to the taxpayers of Michigan; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we respectfully request the State Bar of Michigan and the National Legal Aid and Defender Association to collect information in cooperation with the State Court Administrative Office and issue a joint report to the Michigan Legislature on the costs of indigent criminal cases, the number of criminal cases assigned to court-appointed attorneys, and the types of criminal cases that receive court appointed attorneys in Michigan. We urge that the report be provided to the chairpersons of the Judiciary Committees of the House and Senate and the chairpersons of the appropriate subcommittees of the House and Senate Appropriations Committees; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Supreme Court, the State Bar of Michigan and the National Legal Aid and Defender Association.

The Senate has adopted the concurrent resolution.

Reps. Accavitti, Adamini, Ball, Bieda, Booher, Brandenburg, Brown, Byrnes, Caul, Clack, Condino, Cushingberry, Elsenheimer, Espinoza, Farrah, Gillard, Gleason, Gonzales, Gosselin, Hansen, Hopgood, Hummel, Jones, Kolb, Lemmons, Jr., Lipsey, Meisner, Meyer, Miller, Murphy, Nofs, Pastor, Pearce, Proos, Sak, Shaffer, Sheen, Alma Smith, Virgil Smith, Spade, Steil, Taub, Tobocman, Vagnozzi and Vander Veen were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Judiciary.

### Communications from State Officers

The following communication from the Auditor General was received and read:

March 21, 2006

Enclosed is a copy of the following audit report and/or report summary:  
Performance audit of the Receipts Processing Division,  
Department of Treasury  
March 2006

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

### Introduction of Bills

Reps. Hoogendyk, Pastor, Garfield, Gosselin, Drolet, Sheen, Kooiman, Stahl and Palmer introduced  
**House Bill No. 5903, entitled**

A bill to establish a higher education enrollment option grant program for certain students; to prescribe certain duties of public schools; and to prescribe certain powers and duties of certain postsecondary educational institutions and state departments, officials, and agencies.

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

Reps. Palmer, Pastor, Garfield, Gosselin, Drolet, Sheen, Hoogendyk, Kooiman and Stahl introduced  
**House Bill No. 5904, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1561 (MCL 380.1561), as amended by 1996 PA 339.

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

Reps. Bieda, Condino, Lipsey, Alma Smith, Tobocman, Kolb, Espinoza, Green, Vagnozzi, Gleason and Jones introduced

**House Bill No. 5905, entitled**

A bill to regulate eyewitness identifications; and to provide for certain powers and duties of certain state and local officers and agencies.

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

Rep. Alma Smith moved that the House adjourn.  
The motion prevailed, the time being 4:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 23, at 10:30 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives