

No. 48
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2006

House Chamber, Lansing, Wednesday, May 17, 2006.

1:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Elsenheimer.

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	Lipsev—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—present	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—excused
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. Andy Meisner, from the 27th District, offered the following invocation:

“Our God and God of our ancestors: We ask Your blessings for our country, for our veterans and active military fighting to defend our country, for our government, its leaders and advisors, and for all who exercise just and rightful authority.

Teach them insights of Your Torah, that they may administer all affairs of state fairly, that peace and security, happiness and prosperity, justice and freedom may forever abide in our midst.

Creator of all flesh, bless all the inhabitants of our state and our country with Your spirit. May citizens of all races and creeds forge a common bond in true harmony to banish all hatred and bigotry and to safeguard the ideals and free institutions which are the pride and glory of our country.

May this land under Your providence be an influence for good throughout the world, uniting all people in peace and freedom and helping them to fulfill the vision of Your prophet: ‘Nation shall not lift up sword against nation, neither shall they experience war anymore.’ And let us say: Amen.”

Rep. Sak moved that Rep. Williams be excused from today’s session.
The motion prevailed.

Rep. Palmer moved that Rep. DeRoche be excused temporarily from today’s session.
The motion prevailed.

Rep. Sak moved that Rep. Clack be excused temporarily from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House
House Bill No. 5653, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16337, 17001, 17008, 17025, 17066, 17074, 17078, 17501, 17508, 18001, 18011, and 18021 (MCL 333.16337, 333.17001, 333.17008, 333.17025, 333.17066, 333.17074, 333.17078, 333.17501, 333.17508, 333.18001, 333.18011, and 333.18021), section 16337 as added by 1993 PA 79, sections 17001 and 17501 as amended by 2005 PA 264, section 17025 as amended by 1980 PA 146, sections 17066, 17074, and 17078 as amended by 1990 PA 247, and section 18021 as amended by 1993 PA 79, and by adding sections 18008, 18048, 18049, 18050, 18054, 18056, and 18058; and to repeal acts and parts of acts.

(The bill was received from the Senate on May 16, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 47, p. 1130.)

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. 474

Yeas—103

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

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

Nays—0

In The Chair: Elsenheimer

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.

Rep. Clack, 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. 474. Had I been present, I would have voted ‘yea’.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, May 16:

Senate Bill No. 1268

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, May 17:

House Bill Nos. 6059 6060 6061 6062 6063 6064 6065 6066 6067 6068 6069

Senate Bill Nos. 1262 1263 1264 1265 1266 1267 1273

The Clerk announced that the following Senate bills had been received on Wednesday, May 17:

Senate Bill Nos. 803 1052

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Sheen, Chair, reported

House Bill No. 5541, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7o (MCL 211.7o), as amended by 2004 PA 576.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheen, Meyer, Gosselin, Drolet, Hoogendyk, Stakoe, Jones, Marleau and Meisner
Nays: Rep. Bennett

The Committee on Tax Policy, by Rep. Sheen, Chair, reported

House Bill No. 5761, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

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. Sheen, Meyer, Gosselin, Drolet, Hoogendyk, Stakoe, Jones, Marleau, Bieda, Miller, Meisner and Bennett

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 17, 2006

Present: Reps. Sheen, Meyer, Gosselin, Drolet, Hoogendyk, Stakoe, Jones, Marleau, Bieda, Farrah, Miller, Meisner, Bennett and Mayes

Absent: Reps. Newell, Palmer and Zelenko

Excused: Reps. Newell, Palmer and Zelenko

The Committee on Education, by Rep. Mortimer, Vice-Chair, reported

House Bill No. 5977, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2005 PA 144.

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. Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Hildenbrand, Pearce, Robertson, Hopgood, Miller, Angerer, Clack, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Mortimer, Vice-Chair, reported

House Bill No. 6069, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1225 (MCL 380.1225), as amended by 2002 PA 246.

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

Nays: None

The Committee on Education, by Rep. Mortimer, Vice-Chair, reported

Senate Bill No. 1184, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1752.

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. Mortimer, Gosselin, Meyer, Hoogendyk, 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. Mortimer, Vice-Chair, of the Committee on Education, was received and read:

Meeting held on: Wednesday, May 17, 2006

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

Absent: Rep. Palmer

Excused: Rep. Palmer

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5719, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding sections 217g and 217h.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5968, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2004 PA 220.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5969, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 6 (MCL 791.206), as amended by 1996 PA 104.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

Senate Bill No. 816, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 498b.

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

1. Amend page 2, following line 22, by inserting:

"Enacting section 1. This amendatory act takes effect July 1, 2006."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

Senate Bill No. 817, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2003 PA 313.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

Senate Bill No. 1115, entitled

A bill to prescribe certain duties of the department of state police with respect to certain illegal drug manufacturing laboratories.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda
Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

Senate Bill No. 1119, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2975.

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

1. Amend page 2, following line 17, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2006."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 17, 2006

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Absent: Rep. McConico

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

House Bill No. 5878, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 29.

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. Nitz, Ball, 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: Wednesday, May 17, 2006

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

Absent: Rep. Newell

Excused: Rep. Newell

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, May 17, 2006

Present: Reps. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Dillon, Accavitti, Mayes, Hopgood, Clemente and Gillard

Absent: Rep. Hunter

Excused: Rep. Hunter

Introduction of Bills

Reps. Huizenga, Elsenheimer and Tobocman introduced

House Bill No. 6070, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35e; and to repeal acts and parts of acts.

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

Reps. Kahn, David Law, Green, Ball and Vander Veen introduced

House Bill No. 6071, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2002 PA 437.

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

Rep. Elsenheimer introduced

House Bill No. 6072, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2947 (MCL 600.2947), as amended by 1995 PA 249.

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

Reps. Sheltroun, Cushingberry, Dillon and Vagnozzi introduced

House Bill No. 6073, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2005 PA 23.

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

Reps. Sheltroun, Cushingberry, Dillon and Vagnozzi introduced

House Bill No. 6074, entitled

A bill to amend 2000 PA 261, entitled "Agricultural property recapture act," by amending section 3 (MCL 211.1003).

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

Reps. David Law, Jones, Farrah and Kahn introduced

House Bill No. 6075, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 184 (MCL 259.184), as amended by 1996 PA 370.

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

By unanimous consent the House returned to the order of

Second Reading of Bills**House Bill No. 4309, entitled**

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

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

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

Rep. Kooiman moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Lemmons, III entered the House Chambers.

The Speaker Pro Tempore assumed the Chair.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5885, entitled

A bill to amend 1931 PA 285, entitled "An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act," by amending sections 7b, 8, and 8a (MCL 125.37b, 125.38, and 125.38a), sections 7b and 8a as added and section 8 as amended by 2001 PA 265.

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

Roll Call No. 475

Yeas—106

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 5886, entitled

A bill to amend 1959 PA 168, entitled “An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; for the regulation and subdivision of land; and to prescribe penalties and provide remedies,” by amending sections 7b, 8, and 9 (MCL 125.327b, 125.328, and 125.329), section 7b as added and sections 8 and 9 as amended by 2001 PA 263.

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

Roll Call No. 476**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 5959, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 3 and 4 (MCL 207.1003 and 207.1004), as amended by 2002 PA 668.

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

Roll Call No. 477**Yeas—103**

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

Nays—3

Caswell	Garfield	Smith, Alma
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In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 6034, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2006 PA 21.

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

Roll Call No. 478**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson

Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipse	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayes	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 6035, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 3 (MCL 207.803), as amended by 2006 PA 117.

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

Roll Call No. 479**Yeas—106**

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

Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 5962, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 406 (MCL 550.1406).

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

Roll Call No. 480**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsey	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayer	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5421, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520b (MCL 750.520b), as amended by 2002 PA 714.

(The bill was received from the Senate on May 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1089.)

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. 481**Yeas—106**

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

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.

The Speaker laid before the House

House Bill No. 5422, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 34 and 42 (MCL 791.234 and 791.242), section 34 as amended by 2004 PA 218.

(The bill was received from the Senate on May 10, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1089.)

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. 482**Yeas—102**

Accavitti	Emmons	Leland	Proos
Acciavatti	Espinoza	Lemmons, III	Robertson
Adamini	Farhat	Lemmons, Jr.	Rocca
Amos	Farrah	Lipsey	Sak
Anderson	Gaffney	Marleau	Schuitmaker
Angerer	Garfield	Mayes	Shaffer
Ball	Gillard	McConico	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	Hoogendyk	Mortimer	Steil
Byrum	Hopgood	Murphy	Stewart
Casperson	Huizenga	Newell	Taub
Caswell	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Clack	Hunter	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker
Condino	Kahn	Pastor	Ward
DeRoche	Kolb	Pavlov	Waters
Dillon	Kooiman	Pearce	Wenke
Donigan	LaJoy	Plakas	Wojno
Drolet	Law, David	Polidori	Zelenko
Elsenheimer	Law, Kathleen		

Nays—4

Cheeks

Cushingberry

Hood

Tobocman

In The Chair: Kooiman

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5531, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520a and 520c (MCL 750.520a and 750.520c), as amended by 2002 PA 714, and by adding section 520n.

(The bill was received from the Senate on May 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1090.)

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. 483

Yeas—103

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

Nays—3

Cheeks	Cushingberry	Tobocman
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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.

The Speaker laid before the House

House Bill No. 5532, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending the title and sections 4 and 6 (MCL 791.204 and 791.206), the title as amended by 1996 PA 164 and section 6 as amended by 1996 PA 104, and by adding section 85.

(The bill was received from the Senate on May 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1090.)

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. 484

Yeas—103

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

Nays—3

Cheeks	Cushingberry	Tobocman
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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.

The Speaker laid before the House

Senate Bill No. 718, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 34 (MCL 791.234), as amended by 2004 PA 218.

(The bill was received from the Senate on May 10, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1090.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,
The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 485**Yeas—105**

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

Nays—1

Tobocman

In The Chair: Kooiman

The Speaker laid before the House

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.

(The bill was received from the Senate on May 16, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 47, p. 1130.)

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. 486**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsev	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayer	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 487**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsev	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayer	Sheen
Baxter	Gillard	McConico	Sheltrown

Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

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.

House Bill No. 5607, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 224 (MCL 257.224), as amended by 1995 PA 129.

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

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 488

Yeas—106

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

Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

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.

House Bill No. 5979, 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 10 (MCL 247.660), as amended by 2004 PA 384.

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

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 489**Yeas—106**

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

Nays—0

In The Chair: Kooiman

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

House Bill No. 5854, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 35 and 37 (MCL 205.735 and 205.737), as amended by 2003 PA 131, and by adding section 35a.

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

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 490**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson

Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsey	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayes	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 40.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and St. Clair County Community College relative to the St. Clair County Community College General Campus Renovations.

(For text of concurrent resolution, see House Journal No. 33, p. 729.)

(The concurrent resolution was reported by the Committee on Appropriations on May 4, consideration of which, under the rules, was postponed until May 9.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 491

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson

Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsev	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayes	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	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	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. DeRoche moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6037**.
(For first notice see House Journal No. 47, p. 1131.)

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

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

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

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 35.

A concurrent resolution to request the Department of Community Health, the Department of Labor and Economic Growth, and the Department of History, Arts and Libraries be added as co-chairs to the Michigan After-School Partnership, to urge the partnership to expand and add additional programs, and to urge the partnership to report on its progress in reaching its goals.

(For text of concurrent resolution, see House Journal No. 39, p. 936.)

(The concurrent resolution was reported by the Committee on Education on May 10, consideration of which, under the rules, was postponed until May 11.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 5993, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21737. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Senior Health, Security, and Retirement, The substitute (H-1) was adopted, a majority of the members serving voting therefor. Rep. Vander Veen moved that the bill be placed on the order of Third Reading of Bills. The motion prevailed.

Rep. Hildenbrand 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. Kooiman, Accavitti, Anderson, Ball, Baxter, Booher, Caswell, Caul, Cushingberry, Emmons, Farrah, Gillard, Gleason, Gosselin, Green, Hildenbrand, Huizenga, Jones, Lemmons, III, Marleau, Meyer, Miller, Mortimer, Murphy, Nitz, Palmer, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Sheen, Sheltroun, Stakoe, Steil, Vander Veen and Zelenko offered the following resolution:

House Resolution No. 266.

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Tax Credit Act.

Whereas, Hearing is clearly one of our most essential senses. It is often taken for granted, unfortunately, until the time one begins to experience hearing loss. At this point it is too late to reverse the damage. Hearing aids are the ready solution to the problems associated with hearing loss, but the costs associated with good quality equipment is expensive, is not always covered by one's insurance or Medicaid, and is too often foregone for more immediate needs. A federal tax credit would provide immediate and necessary relief for tens of thousands; and

Whereas, Indeed, it has been estimated that hearing aids would help ninety-five percent of those suffering from hearing loss. Only twenty-two percent of the population, however, currently uses a hearing device, because the average out-of-pocket costs associated with hearing aids is over \$2,800. Thousands upon thousands of individuals and family members are impacted by these soaring costs. It is estimated that close to 2 million people are affected by untreated hearing loss; and

Whereas, In Michigan, legislation was enacted in 1978 to exempt hearing aids from the state sales tax. This initiative was a clear recognition of the importance of cost savings to those in need of hearing aids. The Congress should follow this stellar example and enact similar tax incentives in the U.S. Tax Code; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to enact the Hearing Aid Tax Credit Act; 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 Tax Policy.

Reps. Gosselin, Hoogendyk, Sheen, Accavitti, Anderson, Ball, Baxter, Caswell, Cushingberry, Drolet, Emmons, Farrah, Garfield, Green, Huizenga, Kooiman, Lemmons, III, Lemmons, Jr., Marleau, Miller, Nitz, Palmer, Pastor, Proos, Sheltroun, Stahl, Stakoe, Tobocman, Vagnozzi, Vander Veen and Zelenko offered the following resolution:

House Resolution No. 267.

A resolution to memorialize the President and the Congress of the United States to oppose the persecution of religious faith and practice in the People's Republic of China.

Whereas, Falun Gong is a peaceful and nonviolent form of personal belief, with millions of adherents in China and elsewhere; and

Whereas, Falun Gong has been persecuted for over 6 years by the Chinese Communist Party, as documented by the United States Department of State, the United States Commission on International Religious Freedom, Amnesty International, Human Rights Watch, and many other governmental and third-party organizations; and

Whereas, This persecution of the Falun Gong has involved the widespread use of torture; and

Whereas, The Chinese Communist authority is persecuting Falun Gong practitioners with this policy: "Defame their reputation, bankrupt them financially, destroy them physically"; and

Whereas, Over 2,800 Falun Gong practitioners have died from documented abuse, and some of their bodies were missing internal organs; and

Whereas, In Sujiatun, a suburb of the Chinese city of Shenyang, thousands of Falun Gong practitioners are held in a prison camp contrary to the laws of China and in violation of their human rights; and

Whereas, The Sujiatun prison camp is adjacent to a complex that contains 3 hospitals; and

Whereas, In the prison at Sujiatun, the organs of Falun Gong adherents are harvested while they are alive, and their bodies are immediately cremated; and

Whereas, The harvested organs of prisoners are then used by the hospitals for transplants, with the customers for these transplants often being individuals from the United States; and

Whereas, A witness, who worked at one of these hospitals and whose ex-husband, a surgeon, helped perform the organ harvesting, estimates that 4,000 Falun Gong practitioners have died in the past 5 years through this organ harvesting; and

Whereas, Since its founding, the United States of America has been a beacon of religious liberty, with a tradition of providing a harbor of refuge for those fleeing oppressive regimes and whose people refuse to ignore the testimony of survivors of those regimes; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President, the United States Department of State, and Congress to call upon the Chinese Communist Party to cease its persecution of Falun Gong practitioners; and be it further

Resolved, That we also urge the President and the United States Secretary of State to call upon the United Nations, the International Committee of the Red Cross, Amnesty International, and other human rights organizations to conduct investigations of these atrocities and provide copies of the reports to the United States Congress; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Falun Gong practitioners of Michigan, the United Nations, the International Committee of the Red Cross, and Amnesty International.

The resolution was referred to the Committee on Government Operations.

Messages from the Senate

Senate Bill No. 803, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 8 (MCL 211.8), as amended by 2002 PA 620.

The Senate has passed the bill.

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

Senate Bill No. 1052, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 2 and 4 (MCL 431.302 and 431.304).

The Senate has passed the bill.

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

Rep. Newell moved that the House adjourn.

The motion prevailed, the time being 3:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 18, at 10:30 a.m.