

No. 82
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Wednesday, September 28, 2005.

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

Rep. Jim A. Plakas, from the 16th District, offered the following invocation:

“Heavenly Father, we ask for Your help and guidance in these troubled times facing our great nation. From 9/11, to the war in Iraq, and the catastrophic devastation left in the wake of hurricanes Katrina and Rita—let us not forget the hardships and despair that our sisters and brothers are facing from these horrific events.

Lord, guide us through these turbulent times. As we govern our great state, let it be with compassion and understanding, and let us be caregivers for those less fortunate than we. Let our actions always emulate You, and let us be worthy of Your blessings.

Lord, as government leaders, we pray as we begin a beautiful, new day made possible by You. We begin this day by asking for Your divine guidance in everything that we attempt to do during our deliberations.

Every word that we utter, let them be spoken with kindness, thoughtfulness and consideration. Every step that we take, let them be ordered by You. Every task that we undertake, let them be completed to the best of our ability.

Dear Lord, we need Your wisdom. We need Your guidance. We are unable to comprehend our situation without You instilling understanding in our being. We cannot make it without You.

We come to You seeking Your guidance in each decision that we must make today and every day. We pray that You will help us as we endeavor to do Your will, and to do what is best for our loved ones. Hear our prayer, O Lord.

Last, but not least, we ask that You protect our men and women serving in our armed forces throughout the world. Hear our prayers, O Lord. Amen.”

Rep. Miller moved that Rep. Gonzales be excused from today’s session.
The motion prevailed.

Rep. Palmer moved that Reps. Garfield and Wenke be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Pending the Second Reading of
House Bill No. 4576, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30111a.

Rep. Ward moved that the bill be referred to the Committee on Government Operations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5081, entitled

A bill to amend 1846 RS 1, entitled “Of the statutes,” by amending section 3q (MCL 8.3q).

Rep. Ward moved that the bill be re-referred to the Committee on Government Operations.
The motion prevailed.

Senate Bill No. 553, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 11 (MCL 421.11), as amended by 1995 PA 25.

The bill was read a second time.

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

House Bill No. 5199, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 29 (MCL 250.1029). The bill was read a second time.

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

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 86.

A resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix. (For text of resolution, see House Journal No. 51, p. 772.)

(The resolution was reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment on September 22, consideration of which, under the rules, was postponed until September 27.)

The question being on the adoption of the resolution, The resolution was adopted.

The Speaker laid before the House

Senate Concurrent Resolution No. 24.

A concurrent resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix. (For text of concurrent resolution, see House Journal No. 59, p. 958.)

(The concurrent resolution was reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment on September 22, consideration of which, under the rules, was postponed until September 27.)

The question being on the adoption of the concurrent resolution, The concurrent resolution was adopted.



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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4673, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 317a. (The bill was received from the Senate on September 20, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 21, see House Journal No. 78, p. 1520.)

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. 461

Yeas—101

Accavitti
Acciavatti
Adamini
Amos
Anderson

Espinoza
Farhat
Farrah
Gaffney
Gillard

Leland
Lemmons, III
Lemmons, Jr.
Lipsey
Marleau

Proos
Robertson
Rocca
Sak
Schuitmaker

Angerer	Gleason	Mayes	Shaffer
Ball	Gosselin	McDowell	Sheen
Baxter	Green	Meisner	Sheltrown
Bieda	Hansen	Meyer	Smith, Alma
Booher	Hildenbrand	Miller	Spade
Brandenburg	Hood	Moolenaar	Stahl
Brown	Hoogendyk	Moore	Stakoe
Byrnes	Hopgood	Mortimer	Steil
Byrum	Huizenga	Murphy	Stewart
Casperson	Hummel	Newell	Taub
Caswell	Hune	Nitz	Tobocman
Caul	Hunter	Nofs	Vagnozzi
Cheeks	Jones	Palmer	Van Regenmorter
Clack	Kahn	Palsrok	Vander Veen
Clemente	Kehrl	Pastor	Walker
Condino	Kolb	Pavlov	Ward
DeRoche	Kooiman	Pearce	Whitmer
Dillon	LaJoy	Phillips	Williams
Donigan	Law, David	Plakas	Wojno
Elsenheimer	Law, Kathleen	Polidori	Zelenko
Emmons			

Nays—5

Bennett	McConico	Smith, Virgil	Waters
Drolet			

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**House Bill No. 4260, entitled**

A bill to amend 1951 PA 90, entitled "An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act," by amending section 2 (MCL 431.252), as amended by 1998 PA 505.

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

Roll Call No. 462**Yeas—104**

Accavitti	Emmons	Lemmons, III	Robertson
Acciavatti	Espinoza	Lemmons, Jr.	Rocca
Adamini	Farhat	Lipsey	Sak
Amos	Farrah	Marleau	Schuitmaker
Anderson	Gaffney	Mayes	Shaffer
Angerer	Gillard	McConico	Sheen
Ball	Gleason	McDowell	Sheltrown
Baxter	Gosselin	Meisner	Smith, Alma

Bennett	Hansen	Meyer	Smith, Virgil
Bieda	Hildenbrand	Miller	Spade
Brandenburg	Hood	Moolenaar	Stahl
Brown	Hoogendyk	Moore	Stakoe
Byrnes	Hopgood	Mortimer	Steil
Byrum	Huizenga	Murphy	Stewart
Casperson	Hummel	Newell	Taub
Caswell	Hune	Nitz	Tobocman
Caul	Hunter	Nofs	Vagnozzi
Cheeks	Jones	Palmer	Van Regenmorter
Clack	Kahn	Palsrok	Vander Veen
Clemente	Kehrl	Pastor	Walker
Condino	Kolb	Pavlov	Ward
DeRoche	Kooiman	Pearce	Waters
Dillon	LaJoy	Phillips	Whitmer
Donigan	Law, David	Plakas	Williams
Drolet	Law, Kathleen	Polidori	Wojno
Elsenheimer	Leland	Proos	Zelenko

Nays—2

Booher Green

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 5199** be placed on its immediate passage.

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

House Bill No. 5199, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” by amending section 29 (MCL 250.1029).

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

Roll Call No. 463**Yeas—106**

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

Byrum	Huizenga	Newell	Taub
Casperson	Hummel	Nitz	Tobocman
Caswell	Hune	Nofs	Vagnozzi
Caul	Hunter	Palmer	Van Regenmorter
Cheeks	Jones	Palsrok	Vander Veen
Clack	Kahn	Pastor	Walker
Clemente	Kehrl	Pavlov	Ward
Condino	Kolb	Pearce	Waters
DeRoche	Kooiman	Phillips	Whitmer
Dillon	LaJoy	Plakas	Williams
Donigan	Law, David	Polidori	Wojno
Drolet	Law, Kathleen	Proos	Zelenko
Elsenheimer	Leland		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5046, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20927 (MCL 333.20927), as added by 1990 PA 179.

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

The motion prevailed.

Rep. Ward 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. 5046, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20927 (MCL 333.20927), as added by 1990 PA 179.

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

Roll Call No. 464

Yeas—106

Accavitti	Emmons	Lemmons, III	Robertson
Acciavatti	Espinoza	Lemmons, Jr.	Rocca
Adamini	Farhat	Lipsey	Sak
Amos	Farrah	Marleau	Schuitmaker
Anderson	Gaffney	Mayer	Shaffer
Angerer	Gillard	McConico	Sheen

Ball	Gleason	McDowell	Sheltrown
Baxter	Gosselin	Meisner	Smith, Alma
Bennett	Green	Meyer	Smith, Virgil
Bieda	Hansen	Miller	Spade
Booher	Hildenbrand	Moolenaar	Stahl
Brandenburg	Hood	Moore	Stakoe
Brown	Hoogendyk	Mortimer	Steil
Byrnes	Hopgood	Murphy	Stewart
Byrum	Huizenga	Newell	Taub
Casperson	Hummel	Nitz	Tobocman
Caswell	Hune	Nofs	Vagnozzi
Caul	Hunter	Palmer	Van Regenmorter
Cheeks	Jones	Palsrok	Vander Veen
Clack	Kahn	Pastor	Walker
Clemente	Kehrl	Pavlov	Ward
Condino	Kolb	Pearce	Waters
DeRoche	Kooiman	Phillips	Whitmer
Dillon	LaJoy	Plakas	Williams
Donigan	Law, David	Polidori	Wojno
Drolet	Law, Kathleen	Proos	Zelenko
Elsenheimer	Leland		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Kahn, Ward, Hummel, Taub, Booher, Hansen, Steil, Jones, David Law, Van Regenmorter, Moore, Elsenheimer, Sheltrown, Huizenga, Rocca, Hoogendyk, Acciavatti, LaJoy, Nitz, Green, Farhat, Pastor, Ball, Schuitmaker, Gosselin, Hildenbrand, Proos, Caswell, Stakoe, Gaffney, Mortimer, Accavitti, Brandenburg, Byrnes, Caul, Gleason, Lemmons, III, Lemmons, Jr., Meyer, Miller, Pavlov, Pearce, Polidori, Sak, Shaffer, Spade and Wojno offered the following resolution:

House Resolution No. 134.

A resolution to memorialize the Congress of the United States to require that, whenever possible, countries receiving foreign aid be required to use those resources to purchase American goods and services.

Whereas, The United States has a long and remarkable record of coming to the aid of countries in need. This record is exemplified by the \$19 billion in humanitarian and financial development assistance our nation donated in 2004. This sum, which is twice that of any other country, does not take into account private assistance, which is more than double the amount of our official governmental largess. Indeed, none could argue with the fact that Americans are the most generous people on earth; and

Whereas, Foreign aid is much more than a reflection of the goodwill of the American people. It offers the promise of freedom, opportunity, security, and health. These basic needs are the foundation for democracy and nation-building. They are also essential to the creation of a market economy. Indeed, foreign aid and the opening of markets go hand-in-hand; and

Whereas, Trade and aid are the building blocks of the future. The link between the two, however, could be much stronger if forged in the spirit of reciprocity and mutual gain. A key to this important bond would be a requirement that countries receiving our aid take every practicable effort to use those funds to purchase American goods and services. This would have an immediate impact on both economies, and, in the long run, create lasting relationships and understanding. There could be no finer outcome to this fair and balanced cooperative approach; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to require that, whenever possible, countries receiving foreign aid be required to use those resources to purchase American goods and services; 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 Government Operations.

Reps. Hoogendyk, Booher, Brandenburg, Elsenheimer, Gleason, Gosselin, Hansen, Huizenga, Kooiman, Lemmons, III, Lemmons, Jr., Meyer, Moore, Mortimer, Palmer, Pastor, Pavlov, Shaffer, Stakoe, Taub and Vander Veen offered the following resolution:

House Resolution No. 135.

A resolution declaring September 26 through October 2, 2005, as Equal Parents' Week in the state of Michigan.

Whereas, We recognize the right of all children to continue to receive the same access to both parents which is sanctioned in families with married parents. We also recognize that children cannot benefit from family values when they suffer the loss of a parent and perpetuation of irresponsibility by parents against each other and their children; and

Whereas, We recognize that nothing can take the place of the love of a parent in children's lives. It takes the equal presence of both parents in children's lives to meet their children's need for that love; and

Whereas, We recognize that "the best interests of children" cannot be met unless we maximize the ability of both parents to raise and nurture their children. To afford their children the maximum parenting effort and involvement each parent must be willing and able to contribute in raising their children, and that "the best parent is both parents"; and

Whereas, We recognize that we as a society share the responsibility to keep families together by promoting a system that protects the right of children to be raised and nurtured by both parents as civil rights inalienable to all families. We also recognize the right of families to exist and function as a family; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 26 through October 2, 2005, as Equal Parents' Week in the state of Michigan. We intend to raise public awareness of the urgent need of our children for the love and support from both parents, their extended families, and stepfamilies. We also promote participation in this event throughout the state of Michigan for the public good.

The resolution was referred to the Committee on Family and Children Services.

Reports of Standing Committees

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

House Bill No. 4828, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 20, and 22b (MCL 388.1611, 388.1620, and 388.1622b), section 11 as amended by 2004 PA 518 and sections 20 and 22b as amended by 2004 PA 351.

With the recommendation that the bill be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Williams, Plakas, Alma Smith and Phillips

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Education.

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

House Bill No. 4975, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1215 and 1227 (MCL 380.1215 and 380.1227), section 1215 as amended by 2002 PA 63 and section 1227 as amended by 2002 PA 66, and by adding section 1227a.

With the recommendation that the bill be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Williams, Plakas, Alma Smith and Phillips

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Education.

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

House Joint Resolution L, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 53 of article IV and adding section 10 to article VIII, to expand the audit authority of the auditor general to include school districts and to require school districts to expend at least 65% of their general operating budgets on instruction.

With the recommendation that the joint resolution be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Williams, Plakas, Alma Smith and Phillips

Nays: None

The recommendation was concurred in and the joint resolution was referred to the Committee on Education.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 28, 2005

Present: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Williams, Plakas, Alma Smith and Phillips

Absent: Reps. Sak, Cushingberry, Cheeks and Gonzales

Excused: Reps. Sak, Cushingberry, Cheeks and Gonzales

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 27, 2005

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

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, September 28, 2005

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

Absent: Reps. Garfield, Hunter and Hopgood

Excused: Reps. Garfield, Hunter and Hopgood

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 28, 2005

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hoppgood, Miller, Angerer, Lemmons, III, Virgil Smith, Kehrl and Clack

Absent: Rep. Wenke

Excused: Rep. Wenke

Messages from the Senate

Senate Bill No. 280, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has rejected the report of the Committee of Conference and has appointed Senators Brown, Stamas and Clarke as second conferees.

The Speaker appointed as second conferees, on the part of the House of Representatives, Reps. Caul, Walker and Sak. The message was referred to the Clerk for record.

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, September 28:

House Bill Nos.	5219	5220	5221	5222	5223	5224	5225	5226	5227	5228	5229	5230	5231	5232
	5233	5234	5235	5236	5237									
Senate Bill Nos.	777	778	779	780	781									

Communications from State Officers

The following communication from the Department of Labor and Economic Growth was received and read:

September 23, 2005

As Director of the Department of Labor and Economic Growth, I take great pleasure in forwarding to you the 7th Biennial Report to the Legislature as required by statute on the activities and the progress of survey and remonumentation in the State of Michigan.

Public Act 345 of 1990, as amended, provided for the creation of state and county monumentation and remonumentation program and Public Act 346 provided the funding for the activities envisioned by the Legislature. Since the original Commission was appointed in June 1991, a statewide Model County Plan for county remonumentation has been developed and Administrative Rules for Act 345 have been promulgated by the Department and adopted by the Legislature. Including grants offered in 2005, \$69.5 million in grants has been made available to all 83 counties in the State of Michigan.

Details of these activities are included in the enclosed report. If you have any questions regarding the survey and remonumentation program, please feel free to contact me.

Sincerely,
David C. Hollister
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Mortimer, Gaffney, Hune, Byrnes, Wojno and Vander Veen introduced

House Bill No. 5238, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 385 and 865 (MCL 418.385 and 418.865), section 385 as amended by 1985 PA 103.

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

Reps. Hune, Gaffney and Vander Veen introduced

House Bill No. 5239, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 28a (MCL 421.28a), as amended by 1994 PA 162.

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

Reps. Palmer, Hoogendyk, Byrnes, Jones, Nofs, Hansen, Green, Vander Veen, Stahl, Drolet, Gosselin, Taub, Walker and Casperson introduced

House Bill No. 5240, entitled

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

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

Reps. Palmer, Hoogendyk, Byrnes, Jones, Nofs, Hansen, Green, Vander Veen, Stahl, Drolet, Gosselin, Taub, Walker and Casperson introduced

House Bill No. 5241, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 61 (MCL 257.1861).

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

Rep. Palmer moved that Rep. Drolet be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Select Committees

Senate Bill No. 280, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has adopted the report of the second Committee of Conference and ordered that the bill be given immediate effect.

The second Conference Report was read as follows:

Second Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 280, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

Recommends:

First: That the House recede from the Substitute of the House as passed by the House.

Second: That the Senate and House agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the department of state police for the fiscal year ending September 30, 2006, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF STATE POLICE

APPROPRIATION SUMMARY:

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	2,897.0	
GROSS APPROPRIATION		\$ 550,810,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		20,736,300
ADJUSTED GROSS APPROPRIATION		\$ 530,073,800
Federal revenues:		
Total federal revenues		182,821,000
Special revenue funds:		
Total local revenues		5,597,900
Total private revenues		11,200
Total state restricted revenues		106,282,100
State general fund/general purpose		\$ 235,361,600

Sec. 102. EXECUTIVE DIRECTION

Full-time equated unclassified positions	3.0	
Full-time equated classified positions	39.0	
Unclassified positions		\$ 238,300
Executive direction—34.0 FTE positions		3,438,800
Auto theft prevention program—5.0 FTE positions		7,133,500
GROSS APPROPRIATION		\$ 10,810,600

Appropriated from:

Special revenue funds:		
Auto theft prevention fund		7,133,500
Michigan justice training fund		126,700
State general fund/general purpose		\$ 3,550,400

Sec. 103. DEPARTMENTWIDE APPROPRIATIONS

Special maintenance and utilities		\$ 447,600
Rent and building occupancy charges		8,057,500
Worker’s compensation		3,090,000
Fleet leasing		13,919,200
In-service training		850,000
Narcotics investigation funds		265,000
GROSS APPROPRIATION		\$ 26,629,300

Appropriated from:

Interdepartmental grant revenues:		
IDG, training academy charges		227,500
IDT, Michigan justice training fund		850,000
Federal revenues:		
Federal narcotics investigation revenues		95,000
DOJ		40,400
DOT		20,200
DHS		9,300

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Special revenue funds:	
Forensic science reimbursement fee.....	80,800
Narcotics investigation revenues.....	170,000
State forensic laboratory fund.....	80,800
Criminal justice information center service fees.....	119,400
Secondary road patrol and training fund.....	2,600
Hazardous materials training center fees.....	65,500
Michigan justice training fund.....	5,200
Motor carrier fees.....	6,000
Highway safety fund.....	6,400
Traffic law enforcement and safety fund.....	12,700
State general fund/general purpose.....	\$ 24,837,500

Sec. 104. SUPPORT SERVICES

Full-time equated classified positions.....	129.0	
Human resources—26.0 FTE positions.....		\$ 1,964,200
Human resources optimization user charges.....		88,600
Management services—35.0 FTE positions.....		2,436,300
Training administration—37.0 FTE positions.....		4,432,700
Communications—8.0 FTE positions.....		4,311,900
Budget and financial services—23.0 FTE positions.....		1,814,400
GROSS APPROPRIATION.....		\$ 15,048,100

Appropriated from:

Interdepartmental grant revenues:

IDT, auto theft funds.....	23,800
IDG, training academy charges.....	3,005,700
IDT, truck safety fund.....	4,600
IDG-MDOT, state trunkline fund.....	32,000
IDG-MDTR, casino gaming fees.....	31,000

Special revenues funds:

Local - LEIN fees.....	36,100
Highway safety fund.....	127,200
Auto theft prevention fund.....	4,600
Nuclear plant emergency planning reimbursement.....	3,300
Precision driving track fees.....	287,900
Criminal justice information center service fees.....	146,500
Traffic law enforcement and safety fund.....	220,100
Reimbursed services.....	47,200
Motor carrier fees.....	141,100
State general fund/general purpose.....	\$ 10,937,000

Sec. 105. HIGHWAY SAFETY PLANNING

Full-time equated classified positions.....	26.0	
State program planning and administration—14.0 FTE positions.....		\$ 1,169,100
Grants to local governments and nonprofit organizations.....		4,500,000
Secondary road patrol program—2.0 FTE positions.....		14,020,100
Truck safety program—2.0 FTE positions.....		2,993,300
Highway traffic safety coordination—8.0 FTE positions.....		6,057,000
GROSS APPROPRIATION.....		\$ 28,739,500

Appropriated from:

Federal revenues:

DOT.....	10,646,000
DOJ.....	570,100

Special revenue funds:

Truck driver safety fund.....	2,993,300
Secondary road patrol and training fund.....	14,020,100
State general fund/general purpose.....	\$ 510,000

Sec. 106. CRIMINAL JUSTICE INFORMATION CENTER

Full-time equated classified positions.....	95.0	
Criminal justice information center division—78.0 FTE positions.....		\$ 7,667,500

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Criminal records improvement—1.0 FTE position	4,741,700
Traffic safety—16.0 FTE positions	2,560,800
GROSS APPROPRIATION.....	\$ 14,970,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOS.....	315,900
IDG-MDOT, state trunkline fund	359,800
Federal revenues:	
DOJ.....	4,741,700
DOT.....	1,413,800
Special revenue funds:	
Local - LEIN fees	205,100
Sex offender registration fund.....	256,400
Criminal justice information center service fees	6,386,200
State general fund/general purpose	\$ 1,291,100
Sec. 107. FORENSIC SCIENCES	
Full-time equated classified positions.....	220.0
Laboratory operations—180.0 FTE positions	\$ 18,523,200
DNA analysis program—40.0 FTE positions	8,660,800
GROSS APPROPRIATION.....	\$ 27,184,000
Appropriated from:	
Federal revenues:	
DOJ.....	3,601,200
DOT.....	730,900
Special revenue funds:	
Forensic science reimbursement fees	2,152,500
State forensic laboratory fund	1,662,600
State general fund/general purpose	\$ 19,036,800
Sec. 108. MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS	
Full-time equated classified positions.....	28.0
Standards and training—22.0 FTE positions	\$ 2,337,400
Justice training grants—4.0 FTE positions.....	9,078,300
Concealed weapons enforcement training	140,000
Training only to local units—2.0 FTE positions	839,000
Officer's survivor tuition program	48,500
Public safety officers benefit program	150,000
GROSS APPROPRIATION.....	\$ 12,593,200
Appropriated from:	
Federal revenues:	
DOJ.....	391,200
Special revenue funds:	
Secondary road patrol and training fund	839,000
Michigan justice training fund	10,970,200
Licensing fees.....	54,300
Concealed weapons enforcement fee.....	140,000
State general fund/general purpose	\$ 198,500
Sec. 110. EMERGENCY MANAGEMENT	
Full-time equated classified positions.....	72.0
Emergency management planning and administration—55.0 FTE positions	\$ 4,364,400
Grants to local government	2,482,100
FEMA program assistance—3.0 FTE positions	995,700
Nuclear power plant emergency planning.....	1,266,500
Hazardous materials transportation—1.0 FTE position	582,600
Hazardous materials programs—7.0 FTE positions.....	121,702,900
Disaster assistance	12,000,000
GROSS APPROPRIATION.....	\$ 143,394,200

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Appropriated from:	
Federal revenues:	
DOT.....	582,600
DHS.....	138,226,900
Special revenue funds:	
Nuclear plant emergency planning reimbursement.....	1,266,500
Hazardous materials training center fees.....	1,339,000
State general fund/general purpose.....	\$ 1,979,200
Sec. 111. UNIFORM SERVICES	
Full-time equated classified positions.....	1,662.0
Uniform services—506.0 FTE positions.....	\$ 46,790,100
Security guards—15.0 FTE positions.....	992,500
Reimbursed services.....	2,173,200
At-post troopers—1,141.0 FTE positions.....	121,088,200
Commercial mobile radio service projects.....	800,000
GROSS APPROPRIATION.....	\$ 171,844,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDMB, building occupancy charges.....	610,100
IDG-MDTR, emergency telephone fund coordinator.....	400,000
IDG-MDTR, emergency telephone fund operations.....	400,000
Federal revenues:	
DOJ.....	1,694,100
Special revenue funds:	
Narcotic investigation revenues.....	45,900
Highway safety fund.....	15,451,400
Traffic law enforcement and safety fund.....	31,303,000
State police service fees.....	2,173,200
State general fund/general purpose.....	\$ 119,766,300
Sec. 112. SPECIAL OPERATIONS	
Full-time equated classified positions.....	49.0
Operational support—34.0 FTE positions.....	\$ 2,907,100
Traffic services—10.0 FTE positions.....	3,541,100
Aviation program—5.0 FTE positions.....	1,097,000
GROSS APPROPRIATION.....	\$ 7,545,200
Appropriated from:	
Interdepartmental grant revenues:	
IDG-MDOC, contract.....	87,100
Federal revenues:	
DOT.....	1,666,000
Special revenue funds:	
Private donations.....	11,200
Rental of department aircraft.....	169,000
Drunk driving prevention and training fund.....	1,197,600
State general fund/general purpose.....	\$ 4,414,300
Sec. 113. CRIMINAL INVESTIGATIONS	
Full-time equated classified positions.....	363.0
Criminal investigations—258.0 FTE positions.....	\$ 30,558,600
Federal antidrug initiatives—62.0 FTE positions.....	10,740,200
Reimbursed services, materials, and equipment.....	2,583,400
Auto theft prevention—9.0 FTE positions.....	1,511,300
Casino gaming oversight—32.0 FTE positions.....	3,948,700
Fire investigation—2.0 FTE positions.....	184,000
Fire investigation training to locals.....	50,000
GROSS APPROPRIATION.....	\$ 49,576,200
Appropriated from:	
Interdepartmental grant revenues:	
IDT, auto theft funds.....	1,230,800

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IDG-MDTR, casino gaming fees.....	3,948,700
IDG-MDCH, tobacco tax	610,000
Federal revenues:	
Federal investigations - reimbursed services.....	734,100
DOJ.....	8,039,000
Federal narcotics investigation revenues.....	424,000
Special revenue funds:	
Local - reimbursed services	1,849,300
Narcotics investigation revenues.....	581,500
Forfeiture funds	390,100
State general fund/general purpose	\$ 31,768,700

Sec. 114. MOTOR CARRIER ENFORCEMENT

Full-time equated classified positions.....	214.0
Motor carrier enforcement—106.0 FTE positions	\$ 9,801,300
Truck safety enforcement team operations—10.0 FTE positions.....	1,244,100
Safety inspections—64.0 FTE positions.....	7,641,000
School bus inspections—16.0 FTE positions	1,284,800
Safety projects—18.0 FTE positions	1,975,500
GROSS APPROPRIATION.....	\$ 21,946,700

Appropriated from:

Interdepartmental grant revenues:	
IDT, truck safety fund.....	1,244,100
IDG-MDOT, state trunkline fund	7,242,300
Federal revenues:	
DOT.....	8,088,300
Special revenue funds:	
Motor carrier fees	4,087,200
State general fund/general purpose	\$ 1,284,800

Sec. 115. INFORMATION TECHNOLOGY

Information technology services and projects	\$ 20,529,100
GROSS APPROPRIATION.....	\$ 20,529,100

Appropriated from:

Interdepartmental grant revenues:	
IDG-MDTR, casino gaming fees.....	79,700
IDG-MDOT, state trunkline fund	33,200
Federal revenues:	
DOT.....	1,106,200
Special revenue funds:	
Local - LEIN fees	3,471,000
Local - AFIS fees.....	36,400
Motor carrier fees	15,600
State general fund/general purpose	\$ 15,787,000

PART 2

PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2005-2006 is \$341,643,700.00 and state spending from state resources to be paid to local units of government for fiscal year 2005-2006 is \$20,518,700.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

DEPARTMENT OF STATE POLICE

OFFICE OF HIGHWAY SAFETY PLANNING

Secondary road patrol program	\$ 13,879,900
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COMMISSION ON LAW ENFORCEMENT STANDARDS

Training only to local units	\$ 650,200
Justice training grants	5,538,100

CRIMINAL INVESTIGATIONS

Fire investigation training for locals	50,500
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UNIFORM SERVICES

Commercial mobile radio service projects	\$ 400,000
Total.....	\$ 20,518,700

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) "AFIS" means the automated fingerprint identification system.
- (b) "Department" means the department of state police.
- (c) "DHS" means the United States department of homeland security.
- (d) "DNA" means deoxyribonucleic acid.
- (e) "DOJ" means the United States department of justice.
- (f) "DOT" means the United States department of transportation.
- (g) "FEMA" means the federal emergency management agency.
- (h) "FTE" means full-time equated.
- (i) "IDG" means interdepartmental grant.
- (j) "IDT" means intradepartmental transfer.
- (k) "LEIN" means law enforcement information network.
- (l) "MCOLES" means the Michigan commission on law enforcement standards.
- (m) "MDCH" means the Michigan department of community health.
- (n) "MDMB" means the Michigan department of management and budget.
- (o) "MDOC" means the Michigan department of corrections.
- (p) "MDOS" means the Michigan department of state.
- (q) "MDOT" means the Michigan department of transportation.
- (r) "MDTR" means the Michigan department of treasury.

Sec. 204. The department of civil service shall bill the department at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) Beginning October 1, a hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director shall grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report by the last business day of each month to the chairpersons of the senate and house of representatives standing committees on appropriations the number of exceptions to the hiring freeze approved during the previous month and the justification for the exception.

Sec. 207. At least 60 days before beginning any effort to privatize, the department shall submit a complete project plan to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies. The plan shall include the criteria under which the privatization initiative will be evaluated. The evaluation shall be completed and submitted to the appropriate senate and house of representatives appropriations subcommittees and the senate and house fiscal agencies within 30 months.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement or it may include placement of reports on an Internet or Intranet site.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses, if they are competitively priced and of comparable value.

Sec. 210. The director of each department receiving appropriations in part 1 shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both, for the department. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services or supplies, or both.

Sec. 211. It is the intent of the legislature that personnel of the department who request and are eligible for reimbursement of expenses related to the operation of the department be reimbursed from the appropriations provided in this act within 30 days after submitting a request, or the eligible personnel shall be paid an additional amount equal to 0.75% of the payment due. The department shall pay an additional amount equal to 0.75% of the payment due for the first month and each succeeding month or portion of a month the payment remains past due.

Sec. 213. (1) It is the intent of the legislature that the department shall not provide any subsidy for contractual services it provides.

(2) When the department provides contractual services to a local unit of government, the department shall be reimbursed for all costs incurred in providing the services, including, but not limited to, retirement and overtime costs.

(3) Contractual services provided to an entity other than a local unit of government may be provided by department personnel, but only on an overtime basis outside the normal work schedule of the personnel.

(4) This section does not apply to state agencies.

Sec. 214. The departments and agencies receiving appropriations in part 1 shall receive and retain copies of all reports funded from appropriations in part 1. The department shall follow all federal guidelines and state laws regarding short-term and long-term retention of records.

Sec. 215. Not later than January 1, 2006, the department shall report to the state police appropriations subcommittees of the house and senate and the house and senate fiscal agencies. The report shall contain the following information regarding the department's activities related to casino gaming oversight during fiscal year 2004-2005:

(a) The amount of money received and expended.

(b) The nature and structure of the casino gaming oversight unit.

(c) The positions and classifications of employees assigned.

(d) The number of full-time and part-time employees and the aggregate number of FTEs.

(e) The number of enlisted and civilian positions.

(f) The duties and responsibilities of the assigned employees.

(g) The immediate past position of the enlisted employees assigned.

Sec. 216. The department shall collect and computerize the vehicle identification number (VIN) of all vehicles that are entered into the state accident data collection system and make this and other vehicle information available to the public at cost. For bulk access to the accident records in which the VIN has been collected and computerized, the department shall make those records available to the public at cost, provided that the name and address have been excluded.

Sec. 217. From the funds appropriated in part 1, the department shall maintain a toll-free hotline in collaboration with the department of education. The toll-free hotline shall be operated 24 hours per day, 7 days per week, and shall provide students, school officials, and other individuals an opportunity to report specific threats of imminent school violence or other suspicious or criminal conduct by juveniles to the appropriate local law enforcement entities for investigation. The department may expend funds for the promotion of the hotline.

Sec. 218. (1) Funds appropriated in part 1 for at-post troopers shall only be expended for trooper salaries, wages, benefits, retirement, equipment, supplies, and other expenses directly related to state troopers assigned to general law enforcement duties at a department post, detachment, satellite office, or a resident trooper function.

(2) From the funds appropriated in part 1 for at-post troopers, 1 or more trooper recruit schools of a size, length, and date to be determined by the department or the legislature shall be conducted during fiscal year 2005-2006 with the goal of maintaining at-post trooper strength of at least 1,075 on September 30, 2006.

(3) The department shall submit quarterly written reports to the senate and house appropriations subcommittees on state police and military and veterans affairs no later than December 1, 2005, March 1, 2006, June 1, 2006, and September 1, 2006 which shall include a trooper strength report and the status of the department's plan for accomplishing the goal of subsection (2). If the department determines that insufficient appropriations exist under part 1 to accomplish the goal of subsection (2), the department shall submit a proposal outlining a plan to accomplish the goal including an accounting of any additional funding necessary to that end.

Sec. 219. The department of state police shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies not less than 180 days before recommending to close or consolidate any state police posts. The notification shall include a local and state impact study of the proposed post closure or consolidation.

Sec. 220. The department of state police, in keeping with its role as the general law enforcement agency of the state and as the law enforcement agency of last resort for communities that are either without local law enforcement resources or are seriously underserved by local law enforcement resources, shall provide general law enforcement assistance to those communities until adequate law enforcement services can be provided to those communities by other means.

Sec. 221. The department of state police may pursue entering into an agreement with Calhoun County to build a new facility in Marshall which would serve as a new state police post to replace the current state police post in Battle Creek.

Sec. 223. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2006 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the house and senate appropriations committees.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 224. The department shall not take disciplinary action against an employee for communicating with a member of the legislature or his or her staff.

Sec. 225. It is the intent of the legislature that the administration, working with the MCOLES, shall take steps during the fiscal year 2005-2006 to restore the long-held practice that all revenue made available to the department from the Michigan justice training fund be used solely for costs directly related to the delivery of Michigan justice training fund grants, so that in the future, eligible entities as provided under 1982 PA 302, MCL 18.421 to 18.429, will have a stable and accurate source of training funds.

Sec. 226. Pursuant to the executive budget recommendation, after December 1, 2005, no funds appropriated under part 1 shall be spent for operations or rent and building occupancy charges for the state police posts in Groveland Township, Grand Haven, and Iron River.

INFORMATION TECHNOLOGY

Sec. 301. The money appropriated in part 1 for computer services shall be funded by LEIN user fees sufficient to pay 1/3 of the service and contract maintenance costs of the LEIN system.

Sec. 302. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. These user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 303. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 304. A portion of the funds appropriated in part 1 shall be used by the department to produce a written report detailing departmental policies regarding access to and use of information from the LEIN system. The report shall include a description of departmental measures to protect the security of information in the LEIN system including safeguards that would prevent unauthorized persons from obtaining information from the LEIN system. The department shall submit a copy of this report to the senate and house appropriations committees not later than April 1, 2006.

Sec. 305. The criminal justice information systems policy council shall encourage members of the law enforcement agencies in the state to be sensitive to, and note when necessary, activities or circumstances that may suggest the unauthorized access or misuse of information from the LEIN system. The criminal justice information systems policy council shall advise LEIN auditors, as a part of their audit of law enforcement agencies, to investigate in depth all suspected incidents of improper access or improper use of information from the LEIN system and determine whether or not those incidents were illegal. In those incidents that may be determined to be illegal, the executive secretary for the council shall determine whether those incidents were of a negligent or criminal nature. If an incident is determined to be an illegal act, the council shall inform the chairs of both the senate and house appropriations committees.

Sec. 306. (1) The department of state police, working with the criminal justice information systems policy council, shall implement procedures by which all probation information is placed on the LEIN system. The LEIN system shall include information on each probationer, including any probation conditions placed on a probationer and the name of the probation officer assigned to a probationer. The LEIN system shall also include any nonstandard probation terms.

(2) If the department determines that amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, are required to include all probation information on the LEIN system, the department shall deliver to members of the senate and house appropriations subcommittees on state police and military affairs amendments to the code of criminal procedure, 1927 PA 175, MCL 760.1 to 777.69, that, in the department's view, are necessary to accomplish this goal. These proposed amendments shall be delivered to subcommittee members not later than December 1, 2005.

Sec. 307. The department of state police shall serve as an active liaison between the department of information technology and local public safety agencies to facilitate the use of the Michigan public safety communications system towers by those local public safety agencies that have an interest in using the towers as a part of their own communications system. The department of state police shall deliver a written report to the senate and house appropriations subcommittees on state police and military and veterans affairs by April 1, 2006, which shall include an assessment of the progress toward establishing local public safety agency use of the Michigan public safety communications system towers, an accounting of problems that may be preventing local use of the towers, and any recommendations the department has that may foster this utilization.

HIGHWAY SAFETY PLANNING

Sec. 401. On a quarterly basis, the department shall report to the senate and house appropriations subcommittees on state police and military affairs on the status of assessments collected and authorized under section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, for the purposes of supporting the secondary road patrol grant program. Each quarterly report shall contain updated information on collection levels, revised projected grant allotments to counties for the year, a comparison of projected collections and grant distribution levels with the funds appropriated in part 1 for the secondary road patrol program, and the extent collection levels have exceeded or failed to meet appropriated levels for the current fiscal year or expenditure levels from the previous fiscal year.

FORENSIC SCIENCES

Sec. 501. (1) The department shall distribute a copy of the department's protocol for retaining and purging DNA analysis samples and records to each police agency in this state.

(2) The department shall report to the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies when any changes to the department's DNA protocol are made.

Sec. 502. The department shall work with the department of community health, the Michigan health and hospital association, the Michigan state medical society, and the Michigan nurses association to ensure that the recommendations included in the "Standard Recommended Procedures for the Emergency Treatment of Sexual Assault Victims" are followed in the collection of evidence.

MICHIGAN COMMISSION ON LAW ENFORCEMENT STANDARDS

Sec. 601. The money appropriated to the MCOLES for maintenance and delivery of training to locals is provided in accordance with a state reimbursement policy in which 100% of the determined state reimbursement rate shall be distributed upon certification by the MCOLES.

Sec. 602. From the appropriations in part 1 for the training of new state troopers and other new police officers in the state and for the continuing education of all law enforcement officers in the state, sufficient funds shall be used to include curricula on the content and application of federal firearms laws, including the procedures necessary for law enforcement to turn appropriate cases over to the federal bureau of alcohol, tobacco, and firearms or any other applicable federal criminal justice agency.

EMERGENCY MANAGEMENT

Sec. 801. (1) The state director of emergency management may expend money appropriated under this act to call upon any agency or department of the state or any resource of the state to protect life or property or to provide for the health or safety of the population in any area of the state in which the governor proclaims a state of emergency or state of disaster under 1945 PA 302, MCL 10.31 to 10.33, or under the emergency management act, 1976 PA 390, MCL 30.401 to 30.421. The state director of emergency management may expend the amounts the director considers necessary to accomplish these purposes. The director shall submit to the state budget director as soon as possible a complete report of all actions taken under the authority of this section. The report shall contain, as a separate item, a statement of all money expended that is not reimbursable from federal money. The state budget director shall review the expenditures and submit recommendations to the legislature in regard to any possible need for a supplemental appropriation.

(2) In addition to the money appropriated in this act, the department may receive and expend money from local, private, federal, or state sources for the purpose of providing emergency management training to local or private interests and for the purpose of supporting emergency preparedness, response, recovery, and mitigation activity. If additional expenditure authorization in the Michigan administrative information network is approved by the state budget office under this section, the department and the state budget office shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 10 days after the approval. The notification shall include the amount and source of the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization.

Sec. 802. The department shall not make any purchases related to a statewide emergency management computer network unless authorized to do so by the director of the department of information technology.

Sec. 803. The department's emergency management division shall make every effort to ensure both of the following:

(a) That homeland security grants offered by the federal government and channeled through the department are allocated to first responder entities in the highest percentage possible.

(b) That homeland security grants awarded to the city of Detroit shall not be used to supplant city general funds designated to support first responder operations.

UNIFORM SERVICES

Sec. 901. State police enlisted personnel who are employed to enforce traffic laws as provided in section 629e of the Michigan vehicle code, 1949 PA 300, MCL 257.629e, shall not be prohibited from responding to crimes in progress or other emergency situations, and are responsible for protecting every citizen of this state from harm.

SPECIAL OPERATIONS

Sec. 1001. In addition to the appropriations in part 1 to the department of state police for the aviation program, the department is authorized to sell its aircraft and the proceeds from the sale are appropriated and may be applied to the renovation cost of replacement aircraft, cost of enhancing and maintaining existing aircraft, pilot training cost, and reimbursement for use of other state agency aircraft. If additional expenditure authorization in the Michigan administrative information network is approved by the state budget office under this section, the department and the state budget office shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies within 10 days after the approval. The notification shall include the amount and source of the additional authorization, the date of its approval, and the projected use of funds to be expended under the authorization.

Sec. 1002. Money privately donated to the department is appropriated under part 1 to be used for the purposes designated by the donor of the money. Money privately donated to the department's canine unit shall be used to purchase equipment and other items to enhance the operation of the canine unit. It is the intent of the legislature that money from private donations not supplant general fund appropriations.

CRIMINAL INVESTIGATIONS

Sec. 1101. (1) There is sufficient money appropriated in part 1 to criminal investigations to ensure that the citizens in a service area of any state police post in the vicinity of a state prison do not experience a downgrading of state police services in their area. Criminal investigations shall be available by temporary or permanent assignment of a detective when either a temporary or permanent prison facility is opened.

(2) If the department is unable to comply with subsection (1) and there is a prison scheduled to open, the department shall provide troopers to serve as investigators on an interim basis.

Sec. 1102. It is the intent of the legislature that the administration, during fiscal year 2005-2006, shall make every effort to identify needed resources to restore the former statewide fire investigation unit and to staff the unit with a sufficient number of career arson investigation specialists so that the highest quality of arson investigation services continue to be available to every area in the state.

MOTOR CARRIER ENFORCEMENT

Sec. 1201. (1) The department shall report to the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies by March 1, 2006 regarding the inspection of school buses and other motor vehicles under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The report shall include the following information regarding inspections conducted in calendar year 2005:

(a) The number of buses and vehicles inspected by the department.

(b) The number of buses and vehicles passing and failing inspection.

(c) The estimated number of buses and vehicles not inspected.

(2) If each school bus within a school system receives a 100% successful state inspection on its first inspection in a given year, the department shall award a certificate to that school system.

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

Cameron Brown
Tony Stamas
Conferees for the Senate

Bill Caul
Howard Walker
Conferees for the House

The Speaker announced that under Joint Rule 9 the second conference report would lie over one day.

Rep. Ward moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the text having been made available to each Member.

The motion prevailed.

The question being on the adoption of the second conference report,

The second conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 465**Yeas—64**

Accavitti	Farhat	McConico	Rocca
Acciavatti	Farrah	Meisner	Schuitmaker
Amos	Gaffney	Miller	Shaffer
Ball	Gosselin	Moolenaar	Sheen
Baxter	Hansen	Moore	Smith, Alma
Bennett	Hildenbrand	Mortimer	Smith, Virgil
Booher	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Nitz	Steil
Byrum	Hummel	Palmer	Taub
Caswell	Hune	Palsrok	Tobocman
Caul	Hunter	Pastor	Van Regenmorter
Cheeks	Kolb	Pavlov	Walker
Clack	Kooiman	Pearce	Ward
Condino	LaJoy	Phillips	Waters
DeRoche	Leland	Proos	Whitmer
Elsenheimer	Lipsey	Robertson	Williams

Nays—41

Adamini	Espinoza	Law, Kathleen	Polidori
Anderson	Gillard	Lemmons, III	Sak
Angerer	Gleason	Lemmons, Jr.	Sheltrown
Bieda	Green	Marleau	Spade
Brown	Hopgood	Mayes	Stahl
Byrnes	Huizenga	McDowell	Stewart
Casperson	Jones	Meyer	Vagnozzi
Clemente	Kahn	Newell	Vander Veen
Dillon	Kehrl	Nofs	Wojno
Donigan	Law, David	Plakas	Zelenko
Emmons			

In The Chair: Kooiman

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

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

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

“Mr. Speaker and members of the House:

I voted against the adoption of the second conference report of Senate Bill 280 (FY 2005-6 State Police Budget) for the following reasons:

MCOLES

This budget contains major reduction in GF/GP funding for Michigan Commission On Law Enforcement Standards (MCOLES). This cut would hamper efforts to keep our law enforcement officers abreast of the latest crime fighting

techniques and methods. In the post 9-11 world it imperative that police officers receives the latest training. Every law enforcement organization in the state opposed this shift.

Fire Investigation

Arson is one of our most destructive crimes. It drives up insurance rates, spreads fires to nearby properties and conceals murders. Few local departments have personnel with the expertise and training to conduct fire investigations. Fire and arson specialists throughout the state testified against the transfer the responsibility Fire Investigation Unit to the Criminal Investigation Unit.

State Police Posts

I oppose the State Police Post closings in Groveland Township, Iron River, and Grand Haven. It is important that these communities have timely response in the event of an emergency. The Michigan State Police Command Officers Association and the Michigan State Troopers Association oppose this budget.

This budget impairs the ability of law and fire enforcement officials to protect our citizens.”

Second Reading of Bills

House Bill No. 5047, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

(The bill was read a second time, substitute (H-1) adopted, amended and postponed for the day on August 31, see House Journal No. 71, p. 1257.)

Rep. Huizenga moved to substitute (H-7) the bill.

The motion prevailed and the substitute (H-7) was adopted, a majority of the members serving voting therefor.

Rep. Moore moved to amend the bill as follows:

1. Amend page 13, following line 17, by inserting:

“(8) WHEN AUTHORIZING EXPENDITURES UNDER THIS ACT, THE BOARD AND THE COMMITTEE SHALL NOT CONSIDER WHETHER A RECIPIENT HAS MADE A CONTRIBUTION OR EXPENDITURE UNDER THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.201 TO 169.282.

(9) EXPENDITURES UNDER THIS ACT SHALL NOT BE USED TO FINANCE OR INFLUENCE POLITICAL ACTIVITIES.”

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 466

Yeas—104

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

Byrum	Huizenga	Murphy	Taub
Casperson	Hummel	Newell	Tobocman
Caswell	Hune	Nitz	Vagnozzi
Caul	Hunter	Nofs	Van Regenmorter
Cheeks	Jones	Palmer	Vander Veen
Clack	Kahn	Palsrok	Walker
Clemente	Kehrl	Pastor	Ward
Condino	Kolb	Pavlov	Waters
DeRoche	Kooiman	Pearce	Whitmer
Dillon	LaJoy	Phillips	Williams
Donigan	Law, David	Plakas	Wojno
Elsenheimer	Law, Kathleen	Polidori	Zelenko

Nays—0

In The Chair: Kooiman

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

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

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

Rep. Palmer moved that Rep. Stewart be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5047, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

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

Roll Call No. 467

Yeas—103

Accavitti	Emmons	Lemmons, III	Robertson
Acciavatti	Espinoza	Lemmons, Jr.	Rocca
Adamini	Farhat	Lipsey	Sak
Amos	Farrah	Marleau	Schuitmaker
Anderson	Gaffney	Mayer	Shaffer
Angerer	Gillard	McConico	Sheen
Ball	Gleason	McDowell	Sheltrown
Baxter	Green	Meisner	Smith, Alma
Bennett	Hansen	Meyer	Smith, Virgil
Bieda	Hildenbrand	Miller	Spade
Booher	Hood	Moolenaar	Stahl
Brandenburg	Hoogendyk	Moore	Stakoe

Brown	Hopgood	Mortimer	Steil
Byrnes	Huizenga	Murphy	Taub
Byrum	Hummel	Newell	Tobocman
Casperson	Hune	Nitz	Vagnozzi
Caswell	Hunter	Nofs	Van Regenmorter
Caul	Jones	Palmer	Vander Veen
Cheeks	Kahn	Palsrok	Walker
Clack	Kehrl	Pastor	Ward
Clemente	Kolb	Pavlov	Waters
Condino	Kooiman	Pearce	Whitmer
DeRoche	LaJoy	Phillips	Williams
Dillon	Law, David	Plakas	Wojno
Donigan	Law, Kathleen	Polidori	Zelenko
Elsenheimer	Leland	Proos	

Nays—1

Gosselin

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 1984 PA 270, entitled “Michigan strategic fund act,” by amending the title and sections 4, 5, 6, 7, and 13 (MCL 125.2004, 125.2005, 125.2006, 125.2007, and 125.2013), sections 4, 5, 6, and 13 as amended by 1987 PA 278, and by adding section 94 and chapter 8A.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 5048, entitled

A bill to create the Michigan tobacco settlement securitization authority; to create funds and accounts; to provide for the transfer of state assets to the authority; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to make an appropriation.

(The bill was read a second time, substitute (H-1) adopted, amended and postponed for the day on August 31, see House Journal No. 71, p. 1258.)

Reps. Dillon and Huizenga moved to substitute (H-3) the bill.

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

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 14, line 14, after “bonds.” by inserting “Not less than 1 of the 3 financial institutions or brokerage firms described in this subsection shall be a Michigan based financial institution or brokerage firm.”.

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

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

The motion prevailed.

Rep. Ward 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. 5048, entitled

A bill to create the Michigan tobacco settlement securitization authority; to create funds and accounts; to provide for the transfer of state assets to the authority; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to make an appropriation.

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

Roll Call No. 468

Yeas—103

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

Nays—1

Gosselin

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 create the Michigan tobacco settlement finance authority; to create funds and accounts; to provide for the sale by this state and the purchase by the authority of all or a portion of tobacco settlement assets; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority, the state administrative board, the state treasurer, and certain other state officials and state employees; and to make appropriations and prescribe certain conditions for the appropriations.

The motion prevailed.

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

Second Reading of Bills

House Bill No. 5109, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending the title and section 2 (MCL 12.252) and by adding section 7; and to repeal acts and parts of acts.

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

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.

Rep. Ward 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. 5109, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending the title and section 2 (MCL 12.252) and by adding section 7; and to repeal acts and parts of acts.

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

Roll Call No. 469

Yeas—103

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

Nays—1

Gosselin

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 2000 PA 489, entitled “Michigan trust fund act,” by amending the title and section 2 (MCL 12.252), and by adding sections 7 and 8; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**Senate Bill No. 359, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2093) by adding chapter 7A.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

Rep. Ward 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. 359, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2093) by adding chapter 7A.

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

Roll Call No. 470**Yeas—103**

Accavitti	Emmons	Lemmons, III	Robertson
Acciavatti	Espinoza	Lemmons, Jr.	Rocca
Adamini	Farhat	Lipsey	Sak
Amos	Farrah	Marleau	Schuitmaker
Anderson	Gaffney	Mayer	Shaffer
Angerer	Gillard	McConico	Sheen
Ball	Gleason	McDowell	Sheltrown
Baxter	Green	Meisner	Smith, Alma
Bennett	Hansen	Meyer	Smith, Virgil
Bieda	Hildenbrand	Miller	Spade

Booher	Hood	Moolenaar	Stahl
Brandenburg	Hoogendyk	Moore	Stakoe
Brown	Hopgood	Mortimer	Steil
Byrnes	Huizenga	Murphy	Taub
Byrum	Hummel	Newell	Tobocman
Casperson	Hune	Nitz	Vagnozzi
Caswell	Hunter	Nofs	Van Regenmorter
Caul	Jones	Palmer	Vander Veen
Cheeks	Kahn	Palsrok	Walker
Clack	Kehrl	Pastor	Ward
Clemente	Kolb	Pavlov	Waters
Condino	Kooiman	Pearce	Whitmer
DeRoche	LaJoy	Phillips	Williams
Dillon	Law, David	Plakas	Wojno
Donigan	Law, Kathleen	Polidori	Zelenko
Elsenheimer	Leland	Proos	

Nays—1

Gosselin

In The Chair: Kooiman

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

“An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, notes and bonds of the Michigan strategic fund; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of the state; to provide penalties; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 298, entitled

A bill to amend 1972 PA 284, entitled “Business corporation act,” by amending section 1062 (MCL 450.2062), as amended by 1997 PA 118.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

Rep. Ward 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. 298, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1062 (MCL 450.2062), as amended by 1997 PA 118.

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

Roll Call No. 471

Yeas—104

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

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 provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts,"

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 533, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Huizenga 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. Ward moved that consideration of the bill be postponed temporarily.

The motion prevailed.

Senate Bill No. 521, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2004 PA 394.

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

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

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

The motion prevailed.

Rep. Ward 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. 521, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2004 PA 394.

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

Roll Call No. 472

Yeas—104

Accavitti	Emmons	Leland	Proos
Acciavatti	Espinoza	Lemmons, III	Robertson
Adamini	Farhat	Lemmons, Jr.	Rocca
Amos	Farrah	Lipsey	Sak
Anderson	Gaffney	Marleau	Schuitmaker
Angerer	Gillard	Mayes	Shaffer
Ball	Gleason	McConico	Sheen
Baxter	Gosselin	McDowell	Sheltrown
Bennett	Green	Meisner	Smith, Alma
Bieda	Hansen	Meyer	Smith, Virgil
Booher	Hildenbrand	Miller	Spade
Brandenburg	Hood	Moolenaar	Stahl
Brown	Hoogendyk	Moore	Stakoe
Byrnes	Hopgood	Mortimer	Steil
Byrum	Huizenga	Murphy	Taub
Casperson	Hummel	Newell	Tobocman
Caswell	Hune	Nitz	Vagnozzi
Caul	Hunter	Nofs	Van Regenmorter

Cheeks	Jones	Palmer	Vander Veen
Clack	Kahn	Palsrok	Walker
Clemente	Kehrl	Pastor	Ward
Condino	Kolb	Pavlov	Waters
DeRoche	Kooiman	Pearce	Whitmer
Dillon	LaJoy	Phillips	Williams
Donigan	Law, David	Plakas	Wojno
Elsenheimer	Law, Kathleen	Polidori	Zelenko

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills**House Bill No. 5215, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 37e (MCL 208.37e), as added by 2003 PA 297.

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

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

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

The motion prevailed.

Rep. Ward 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. 5215, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 37e (MCL 208.37e), as added by 2003 PA 297.

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

Roll Call No. 473**Yeas—104**

Accavitti	Emmons	Leland	Proos
Acciavatti	Espinoza	Lemmons, III	Robertson
Adamini	Farhat	Lemmons, Jr.	Rocca
Amos	Farrah	Lipsey	Sak

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5216, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 270 (MCL 206.270), as added by 2003 PA 295.

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

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

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

The motion prevailed.

Rep. Ward 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. 5216, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 270 (MCL 206.270), as added by 2003 PA 295.

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

Roll Call No. 474**Yeas—104**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4327, entitled**

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2002 PA 472; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

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

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

The motion prevailed.

Rep. Ward 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. 4327, entitled

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1 (MCL 780.621), as amended by 2002 PA 472; and to repeal acts and parts of acts.

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

Roll Call No. 475

Yeas—56

Adamini	Gaffney	Lemmons, Jr.	Sheen
Anderson	Gillard	Lipsev	Smith, Alma
Bennett	Hansen	Mayes	Smith, Virgil
Bieda	Hildenbrand	McConico	Stahl
Booher	Hood	Meisner	Steil
Brown	Hopgood	Meyer	Tobocman
Cheeks	Huizenga	Murphy	Vagnozzi
Clack	Hummel	Newell	Van Regenmorter
Clemente	Hunter	Nitz	Walker
Condino	Kolb	Nofs	Ward
DeRoche	Kooiman	Palsrok	Waters
Dillon	Law, Kathleen	Phillips	Whitmer
Emmons	Leland	Proos	Williams
Farrah	Lemmons, III	Schuitmaker	Zelenko

Nays—48

Accavitti	Donigan	LaJoy	Plakas
Acciavatti	Elsenheimer	Law, David	Polidori
Amos	Espinoza	Marleau	Robertson
Angerer	Farhat	McDowell	Rocca
Ball	Gleason	Miller	Sak
Baxter	Gosselin	Moolenaar	Shaffer
Brandenburg	Green	Moore	Sheltrown
Byrnes	Hoogendyk	Mortimer	Spade
Byrum	Hune	Palmer	Stakoe
Casperson	Jones	Pastor	Taub
Caswell	Kahn	Pavlov	Vander Veen
Caul	Kehrl	Pearce	Wojno

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4753, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 168a.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 61, p. 1119),

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

Rep. Meisner moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.
Rep. Ward moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Sak moved that Rep. Whitmer be excused temporarily from today's session.
The motion prevailed.

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

House Bill No. 4753, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 168a.
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—103

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

Nays—0

In The Chair: Kooiman

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore Elsenheimer to the Chair.

Rep. Plakas asked and obtained an excuse from the balance of today’s session.

Rep. Plakas asked and obtained an excuse from tomorrow’s session.

The Speaker Pro Tempore resumed the Chair.

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

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 533, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

(The bill was considered earlier today, see today’s Journal, p. 1784.)

Rep. David Law moved to amend the bill as follows:

1. Amend page 12, following line 20, by inserting:

“(7) THE BOARD AND THE FUND BOARD SHALL COOPERATE WITH THE COMPLIANCE OFFICER EMPLOYED BY THE OFFICE OF THE AUDITOR GENERAL TO ENSURE THAT ALL 21ST CENTURY INVESTMENTS AND ALL GRANTS AND LOANS DESCRIBED IN THIS CHAPTER ARE IN COMPLIANCE WITH THIS CHAPTER AND STATE LAW.”.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 477

Yeas—101

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

Condino	Kolb	Pastor	Waters
DeRoche	Kooiman	Pavlov	Williams
Dillon	LaJoy	Pearce	Wojno
Donigan	Law, David	Phillips	Zelenko
Elsenheimer			

Nays—0

In The Chair: Kooiman

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

Rep. Ward 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. 533, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

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—100**

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

Nays—1

Gosselin

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 1984 PA 270, entitled "An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, notes and bonds of the Michigan strategic fund; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of the state; to provide penalties; and to repeal certain acts and parts of acts," (MCL 125.2001 to 125.2093) by adding sections 88g, 88h, 88i, 88j, and 88k.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Ward moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Rep. Gillard moved that the House adjourn.
The motion prevailed, the time being 6:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 29, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representative

