

No. 53
STATE OF MICHIGAN
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OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Wednesday, June 9, 2004.

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 | Garfield—present | Meisner—present | Sheen—present |
| Acciavatti—present | Gieleghem—present | Meyer—present | Sheltrown—present |
| Adamini—present | Gillard—present | Middaugh—present | Shulman—present |
| Amos—present | Gleason—present | Milosch—present | Smith—present |
| Anderson—excused | Hager—present | Minore—excused | Spade—present |
| Bieda—e/d/s | Hardman—present | Moolenaar—present | Stahl—present |
| Bisbee—present | Hart—present | Mortimer—present | Stakoe—present |
| Bradstreet—present | Hood—present | Murphy—present | Stallworth—present |
| Brandenburg—present | Hoogendyk—present | Newell—present | Steil—excused |
| Brown—present | Hopgood—present | Nitz—present | Stewart—present |
| Byrum—present | Howell—present | Nofs—present | Tabor—present |
| Casperson—present | Huizenga—present | O’Neil—present | Taub—present |
| Caswell—present | Hummel—present | Palmer—present | Tobocman—present |
| Caul—present | Hune—present | Palsrok—present | Vagnozzi—present |
| Cheeks—present | Hunter—present | Pappageorge—present | Van Regenmorter—present |
| Clack—present | Jamnick—present | Pastor—present | Vander Veen—present |
| Condino—present | Johnson, Rick—present | Phillips—present | Voorhees—present |
| Daniels—excused | Johnson, Ruth—present | Plakas—present | Walker—present |
| Dennis—present | Julian—present | Pumford—present | Ward—present |
| DeRoche—present | Koetje—present | Reeves—present | Waters—present |
| DeRossett—present | Kolb—present | Richardville—present | Wenke—present |
| Drolet—present | Kooiman—present | Rivet—present | Whitmer—present |
| Ehardt—present | LaJoy—present | Robertson—present | Williams—present |
| Elkins—present | LaSata—present | Rocca—present | Wojno—present |
| Emmons—present | Law—present | Sak—present | Woodward—present |
| Farhat—present | Lipsey—present | Shackleton—present | Woronchak—present |
| Farrah—present | McConico—present | Shaffer—present | Zelenko—present |
| Gaffney—present | | | |

e/d/s = entered during session

Rep. Chris Kolb, from the 53rd District, offered the following invocation:

“Dear God, please give us the insight and the strength to do our job as we make decisions for the people of Michigan. Fill us with the knowledge and the strength to make the right decisions as we contemplate our funding decisions before us and the great issues that lie before this House and this decision making body. Let us not forget those who we represent and the great needs of our communities, people and families. Fill us with the knowledge and strength to understand others who we differ with and that we respect each other as we respect our neighbor. Give us the insight and the strength to carry forward in Your work in reminding us that we are not just individuals but that we are part of a greater whole that connects us. Dear Lord, we look to You for inspiration, insight and strength. Bless those who we represent, bless those who represent us and bless us and the people of Michigan. And, Oh yes God, Go Blue. Amen.”

Rep. Waters moved that Reps. Anderson, Daniels and Minore be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

The Speaker laid before the House
House Concurrent Resolution No. 61.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

(The concurrent resolution was introduced, rule suspended and postponed for the day on June 8, see House Journal No. 52, p. 1213.)

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted, a majority of the members serving voting therefor.

Second Reading of Bills

INITIATIVE PETITION

Initiative petition; legal birth definition act; commencing of legal personhood and rights; provide immunity for certain acts.

The Initiative Petition was read a second time.

Rep. Richardville moved that the Initiative Petition be placed on the order of Third Reading of Bills.

The motion prevailed.

Richardville moved that the Initiative Petition be placed on its immediate passage.

The motion prevailed.

Rep. O’Neil moved that Rep. Plakas be excused temporarily from today’s session.
The motion prevailed.

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

INITIATIVE PETITION

Initiative petition; legal birth definition act; commencing of legal personhood and rights; provide immunity for certain 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. 441**Yeas—74**

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Hager | Newell | Sheen |
| Amos | Hart | Nitz | Sheltrown |
| Bisbee | Hoogendyk | Nofs | Shulman |
| Bradstreet | Howell | O'Neil | Smith |
| Brandenburg | Huizenga | Palmer | Spade |
| Brown | Hummel | Palsrok | Stahl |
| Casperson | Hune | Pappageorge | Stakoe |
| Caswell | Johnson, Rick | Pastor | Stallworth |
| Caul | Johnson, Ruth | Plakas | Tabor |
| DeRoche | Julian | Pumford | Taub |
| DeRossett | Koetje | Reeves | Van Regenmorter |
| Drolet | Kooiman | Richardville | Vander Veen |
| Ehardt | LaJoy | Rivet | Voorhees |
| Emmons | LaSata | Robertson | Walker |
| Farhat | Meyer | Rocca | Ward |
| Gaffney | Middaugh | Sak | Wenke |
| Garfield | Milosch | Shackleton | Wojno |
| Gillard | Moolenaar | Shaffer | Woronchak |
| Gleason | Mortimer | | |

Nays—28

| | | | |
|-----------|----------|----------|----------|
| Accavitti | Farrah | Law | Tobocman |
| Adamini | Gielegem | Lipsey | Vagnozzi |
| Byrum | Hardman | McConico | Waters |
| Clack | Hopgood | Meisner | Whitmer |
| Condino | Hunter | Murphy | Williams |
| Dennis | Jamnack | Phillips | Woodward |
| Elkins | Kolb | Stewart | Zelenko |

In The Chair: Julian

The House agreed to the title of the Initiative Petition.

Rep. Richardville moved that the Initiative Petition be given immediate effect.

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

Rep. Hoogendyk demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 442**Yeas—71**

| | | | |
|-------------|---------------|-------------|-----------------|
| Acciavatti | Hager | Mortimer | Shaffer |
| Amos | Hart | Newell | Sheen |
| Bisbee | Hoogendyk | Nitz | Sheltrown |
| Bradstreet | Howell | Nofs | Shulman |
| Brandenburg | Huizenga | O'Neil | Spade |
| Brown | Hummel | Palmer | Stahl |
| Casperson | Hune | Palsrok | Stakoe |
| Caswell | Johnson, Rick | Pappageorge | Tabor |
| Caul | Johnson, Ruth | Pastor | Taub |
| DeRoche | Julian | Plakas | Van Regenmorter |

| | | | |
|-----------|-----------|--------------|-------------|
| DeRossett | Koetje | Pumford | Vander Veen |
| Drolet | Kooiman | Reeves | Voorhees |
| Ehardt | LaJoy | Richardville | Walker |
| Emmons | LaSata | Rivet | Ward |
| Farhat | Meyer | Robertson | Wenke |
| Gaffney | Middaugh | Rocca | Wojno |
| Garfield | Milosch | Sak | Woronchak |
| Gleason | Moolenaar | Shackleton | |

Nays—29

| | | | |
|-----------|----------|------------|----------|
| Accavitti | Gielegem | Lipsey | Tobocman |
| Adamini | Hardman | McConico | Vagnozzi |
| Byrum | Hopgood | Meisner | Waters |
| Clack | Hunter | Murphy | Whitmer |
| Condino | Jamnick | Phillips | Williams |
| Dennis | Kolb | Stallworth | Woodward |
| Elkins | Law | Stewart | Zelenko |
| Farrah | | | |

In The Chair: Julian.

The **Initiative Petition** was referred to the Clerk for depositing with the Secretary of State.

Reps. Accavitti, Adamini, Farrah, Law, Murphy, Phillips and Zelenko, having reserved the right to explain their protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘No’ on the Petition because it threatens women’s health. The Michigan State Medical Society and the Michigan Section of the American College of Obstetricians and Gynecologists opposed this initiative when it came before this body because it tries to legislatively define medical practices instead of allowing trained physicians to make medical decisions in the best interest of their patient. This petition could have adverse effects on women suffering miscarriages and women faced with a non-viable fetus in the late stages of pregnancy by requiring physicians to do everything possible to preserve the life of a ‘perinate’ without consideration for the anguish this would put parents through. Physicians are supposed to be our trusted confidants and act in the best interest for our health, but with this initiative, politics would be put before sound medical decisions on care.

I also opposed this petition because it again defies consistent United States Supreme Court rulings that when a state restricts access to abortion, a woman’s health must be the paramount consideration. This will be the fourth time this year that Michigan has tried to pass a bill that does not meet the criteria outlined by previous decisions of the United States Supreme Court that a woman’s health must be protected. This petition is unconstitutional and threatens the health of the mother by putting politics before sound medical decisions.”

Rep. Vagnozzi, having reserved the right to explain his protest against the passage of the Initiative Petition, made the following statement:

“Mr. Speaker and members of the House:

I voted No because all the testimony by the medical profession was in opposition to the bill. Also, similar bills have been found to be unconstitutional.”

Second Reading of Bills

Senate Bill No. 1062, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditure of

those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

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

The motion prevailed.

Rep. Richardville 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. 1062, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Roll Call No. 443

Yeas—102

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gleason | Middaugh | Sheltrown |
| Acciavatti | Hager | Milosch | Shulman |
| Adamini | Hardman | Moolenaar | Smith |
| Amos | Hart | Mortimer | Spade |
| Bisbee | Hood | Murphy | Stahl |
| Brandenburg | Hoogendyk | Newell | Stakoe |
| Brown | Hopgood | Nitz | Stallworth |
| Byrum | Howell | Nofs | Stewart |
| Casperson | Huizenga | O'Neil | Tabor |
| Caswell | Hummel | Palmer | Taub |
| Caul | Hune | Palsrok | Tobocman |
| Cheeks | Hunter | Pappageorge | Vagnozzi |
| Clack | Jamnick | Pastor | Van Regenmorter |
| Condino | Johnson, Rick | Phillips | Vander Veen |
| Dennis | Johnson, Ruth | Plakas | Voorhees |
| DeRoche | Julian | Pumford | Walker |
| DeRossett | Koetje | Reeves | Ward |
| Ehardt | Kolb | Richardville | Waters |
| Elkins | Kooiman | Rivet | Wenke |
| Emmons | LaJoy | Robertson | Whitmer |
| Farhat | LaSata | Rocca | Williams |
| Farrah | Law | Sak | Wojno |
| Gaffney | Lipsey | Shackleton | Woodward |
| Garfield | McConico | Shaffer | Woronchak |
| Gielegem | Meisner | Sheen | Zelenko |
| Gillard | Meyer | | |

Nays—2

| | |
|------------|--------|
| Bradstreet | Drolet |
|------------|--------|

In The Chair: Julian

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

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

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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. 1065, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

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

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

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

The motion prevailed.

Rep. Richardville 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. 1065, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1064, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 3, line 17, by striking out "17,746,000" and inserting "17,996,400" and adjusting the subtotals, totals, and sections 201 and 213 accordingly.

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

Rep. Reeves moved to amend the bill as follows:

1. Amend page 6, line 16, by striking out “1,150,000” and inserting “2,300,000” and adjusting the subtotals, totals, and sections 201 and 213 accordingly.

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

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 7, line 14, by striking out “30,405,600” and inserting “32,905,600” and adjusting the subtotals, totals, and sections 201 and 213 accordingly.

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

Rep. Pumford moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Kolb.

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

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

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Pumford moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Reeves.

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

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

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Kolb moved to amend the bill as follows:

1. Amend page 6, line 19, by increasing the amount by “600,000”.

2. Amend page 6, line 21, by increasing the amount by “800,000”.

3. Amend page 6, line 23, by increasing the amount by “600,000” and adjusting the subtotals, totals, and sections 201 and 213 accordingly.

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

Rep. Bieda entered the House Chambers.

Rep. Brown moved that Rep. Adamini be excused temporarily from today’s session.

The motion prevailed.

Rep. Drolet moved to amend the bill as follows:

1. Amend page 7, line 14, by decreasing the amount by “9,257,700” and adjusting the subtotals, totals, and sections 201 and 213 accordingly.

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

Rep. Drolet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 444

Yeas—38

Bisbee
Bradstreet
Brandenburg
Casperson

Garfield
Hoogendyk
Huizenga
Hummel

Moolenaar
Mortimer
Nitz
Nofs

Shaffer
Sheen
Stahl
Stakoe

| | | | |
|-----------|---------------|--------------|-----------------|
| Caswell | Hune | Palmer | Taub |
| DeRoche | Johnson, Ruth | Pastor | Van Regenmorter |
| DeRossett | Kooiman | Richardville | Vander Veen |
| Drolet | LaJoy | Robertson | Voorhees |
| Farhat | Middaugh | Rocca | Ward |
| Gaffney | Milosch | | |

Nays—65

| | | | |
|------------|---------------|-------------|------------|
| Accavitti | Hager | Meisner | Smith |
| Acciavatti | Hardman | Meyer | Spade |
| Amos | Hart | Murphy | Stallworth |
| Bieda | Hood | Newell | Stewart |
| Brown | Hopgood | O'Neil | Tabor |
| Byrum | Howell | Palsrok | Tobocman |
| Caul | Hunter | Pappageorge | Vagnozzi |
| Cheeks | Jamnick | Phillips | Walker |
| Clack | Johnson, Rick | Plakas | Waters |
| Condino | Julian | Pumford | Wenke |
| Dennis | Koetje | Reeves | Whitmer |
| Elkins | Kolb | Rivet | Williams |
| Emmons | LaSata | Sak | Wojno |
| Farrah | Law | Shackleton | Woodward |
| Gielegem | Lipsey | Sheltrown | Woronchak |
| Gillard | McConico | Shulman | Zelenko |
| Gleason | | | |

In The Chair: Julian

Rep. Ward moved to amend the bill as follows:

1. Amend page 3, line 17, by decreasing the amount by "1,000,000" and adjusting the subtotals, totals, and sections 201 and 213 accordingly.

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

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

The motion prevailed.

Rep. Richardville 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. Ehardt be excused temporarily from today's session.

The motion prevailed.

Rep. Hood moved that Rep. Phillips be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1064, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to

provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Roll Call No. 445**Yeas—99**

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gleason | Middaugh | Shulman |
| Acciavatti | Hager | Milosch | Smith |
| Adamini | Hardman | Moolenaar | Spade |
| Amos | Hart | Mortimer | Stahl |
| Bieda | Hood | Murphy | Stakoe |
| Bisbee | Hopgood | Newell | Stallworth |
| Brandenburg | Howell | Nitz | Stewart |
| Brown | Huizenga | Nofs | Tabor |
| Byrum | Hummel | O'Neil | Taub |
| Casperson | Hune | Palmer | Tobocman |
| Caswell | Hunter | Palsrok | Vagnozzi |
| Caul | Jamnick | Pappageorge | Van Regenmorter |
| Cheeks | Johnson, Rick | Pastor | Vander Veen |
| Clack | Johnson, Ruth | Plakas | Voorhees |
| Condino | Julian | Pumford | Walker |
| Dennis | Koetje | Reeves | Ward |
| DeRoche | Kolb | Richardville | Waters |
| DeRossett | Kooiman | Rivet | Wenke |
| Elkins | LaJoy | Robertson | Whitmer |
| Emmons | LaSata | Rocca | Williams |
| Farhat | Law | Sak | Wojno |
| Farrah | Lipsey | Shackleton | Woodward |
| Gaffney | McConico | Shaffer | Woronchak |
| Gielegem | Meisner | Sheen | Zelenko |
| Gillard | Meyer | Sheltrown | |

Nays—4

| | | | |
|------------|--------|----------|-----------|
| Bradstreet | Drolet | Garfield | Hoogendyk |
|------------|--------|----------|-----------|

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 943, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169 and 1507 (MCL 380.1169 and 380.1507), as amended by 1993 PA 335, and by adding section 1507b.

(The bill was received from the Senate on June 2, with amendments to the House substitute (H-2), and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 3, see House Journal No. 50, p. 1174.)

The question being on concurring in the amendments to the House substitute (H-2) made to the bill by the Senate, The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 446**Yeas—95**

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gillard | Milosch | Shulman |
| Acciavatti | Gleason | Moolenaar | Smith |
| Adamini | Hager | Mortimer | Spade |
| Amos | Hardman | Murphy | Stahl |
| Bieda | Hart | Newell | Stakoe |
| Bisbee | Hoogendyk | Nitz | Stallworth |
| Bradstreet | Howell | O'Neil | Stewart |
| Brandenburg | Huizenga | Palmer | Tabor |
| Brown | Hummel | Palsrok | Taub |
| Byrum | Hune | Pappageorge | Tobocman |
| Casperson | Hunter | Pastor | Vagnozzi |
| Caswell | Johnson, Rick | Phillips | Van Regenmorter |
| Cheeks | Johnson, Ruth | Plakas | Vander Veen |
| Clack | Julian | Pumford | Voorhees |
| Dennis | Koetje | Reeves | Walker |
| DeRoche | Kooiman | Richardville | Ward |
| DeRossett | LaJoy | Rivet | Waters |
| Drolet | LaSata | Robertson | Wenke |
| Elkins | Law | Rocca | Whitmer |
| Farhat | Lipsey | Sak | Williams |
| Farrah | McConico | Shackleton | Wojno |
| Gaffney | Meisner | Shaffer | Woodward |
| Garfield | Meyer | Sheen | Woronchak |
| Gielegghem | Middaugh | Sheltrown | |

Nays—6

| | | | |
|---------|---------|------|---------|
| Condino | Jamnack | Nofs | Zelenko |
| Hopgood | Kolb | | |

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5478, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166a (MCL 388.1766a), as amended by 2003 PA 158.

(The bill was received from the Senate on June 3, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 51, p. 1193.)

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. 447**Yeas—92**

| | | | |
|------------|------------|-----------|------------|
| Accavitti | Gielegghem | Meisner | Shackleton |
| Acciavatti | Gillard | Meyer | Shaffer |
| Adamini | Gleason | Middaugh | Sheen |
| Bieda | Hager | Milosch | Sheltrown |
| Bisbee | Hardman | Moolenaar | Shulman |
| Bradstreet | Hart | Mortimer | Spade |
| Brown | Hoogendyk | Murphy | Stahl |
| Byrum | Hopgood | Newell | Stakoe |

| | | | |
|-----------|---------------|--------------|-----------------|
| Casperson | Howell | Nitz | Stewart |
| Caswell | Huizenga | Nofs | Tabor |
| Caul | Hummel | O'Neil | Taub |
| Cheeks | Hune | Palmer | Vagnozzi |
| Clack | Hunter | Palsrok | Van Regenmorter |
| Dennis | Johnson, Rick | Pappageorge | Vander Veen |
| DeRoche | Johnson, Ruth | Pastor | Voorhees |
| DeRossett | Julian | Phillips | Walker |
| Drolet | Koetje | Plakas | Ward |
| Elkins | Kooiman | Pumford | Wenke |
| Emmons | LaJoy | Richardville | Whitmer |
| Farhat | LaSata | Rivet | Williams |
| Farrah | Law | Robertson | Wojno |
| Gaffney | Lipsey | Rocca | Woodward |
| Garfield | McConico | Sak | Woronchak |

Nays—10

| | | | |
|-------------|---------|------------|---------|
| Amos | Jamnick | Stallworth | Waters |
| Brandenburg | Kolb | Tobocman | Zelenko |
| Condino | Smith | | |

In The Chair: Julian

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

The House returned to the consideration of
Senate Bill No. 1065, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

(The bill was considered earlier today, see today's Journal p. 1226.)

The question being on the passage of the bill,

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 2, line 4, after "positions" by striking out "394.0" and inserting "407.0".
2. Amend page 5, line 23, after "positions" by striking out "43.0" and inserting "52.0".
3. Amend page 7, line 16, after "positions" by striking out "27.0" and inserting "31.0".

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

The question being on the passage of the bill,

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 3, line 13, by striking out "2,001,000" and inserting "2,001,100".
2. Amend page 3, line 15, by striking out "601,500" and inserting "601,600".
3. Amend page 3, line 24, by striking out "1,313,800" and inserting "1,314,000".
4. Amend page 4, line 1, by striking out "1,695,300" and inserting "1,695,400".
5. Amend page 4, line 3, by striking out "1,709,200" and inserting "1,709,300".
6. Amend page 4, line 21, by striking out "1,647,700" and inserting "1,647,900".

7. Amend page 4, line 25, by striking out "4,113,700" and inserting "4,113,800".
8. Amend page 4, line 27, by striking out "1,379,800" and inserting "1,379,900".
9. Amend page 5, line 8, by striking out "396,800" and inserting "397,000".
10. Amend page 5, line 11, by striking out "1,052,400" and inserting "1,052,500".
11. Amend page 5, line 21, by striking out "834,800" and inserting "834,900".
12. Amend page 5, line 25, by striking out "4,084,200" and inserting "4,084,300".
13. Amend page 5, line 27, by striking out "6,740,100" and inserting "6,740,200".
14. Amend page 6, line 8, by striking out "211,300" and inserting "211,500".
15. Amend page 6, line 24, by striking out "5,018,000" and inserting "5,018,100".
16. Amend page 6, line 26, by striking out "5,126,000" and inserting "5,126,100".
17. Amend page 7, line 12, by striking out "494,600" and inserting "494,800".
18. Amend page 7, line 18, by striking out "2,220,900" and inserting "2,221,000".
19. Amend page 7, line 20, by striking out "3,123,000" and inserting "3,123,100".
20. Amend page 8, line 1, by striking out "2,598,700" and inserting "2,598,900".
21. Amend page 8, line 9, by striking out "2,162,500" and inserting "2,162,600".
22. Amend page 8, line 11, by striking out "1,453,600" and inserting "1,453,700".
23. Amend page 8, line 20, by striking out "937,200" and inserting "937,400".
24. Amend page 8, line 24, by striking out "6,010,000" and inserting "6,010,100".
25. Amend page 8, line 26, by striking out "7,800,900" and inserting "7,801,000".
26. Amend page 9, line 8, by striking out "73,100" and inserting "73,300".
27. Amend page 9, line 12, by striking out "2,194,600" and inserting "2,194,700".
28. Amend page 9, line 14, by striking out "269,800" and inserting "269,900".
29. Amend page 9, line 22, by striking out "765,200" and inserting "765,400".
30. Amend page 9, line 26, by striking out "1,981,800" and inserting "1,981,900".
31. Amend page 10, line 1, by striking out "22,946,800" and inserting "22,946,900".
32. Amend page 10, line 8, by striking out "13,685,200" and inserting "13,685,400".
33. Amend page 10, line 14, by striking out "880,300" and inserting "880,400".
34. Amend page 10, line 16, by striking out "185,700" and inserting "185,800".
35. Amend page 10, line 24, by striking out "2,200" and inserting "2,400" and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 17, following line 25, by inserting:

"Sec. 218. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$1,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$700,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$250,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$3,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this bill under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393."

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 448

Yeas—105

| | | | |
|------------|----------|----------|-----------|
| Accavitti | Gielegem | Meisner | Sheen |
| Acciavatti | Gillard | Meyer | Sheltrown |
| Adamini | Gleason | Middaugh | Shulman |
| Amos | Hager | Milosch | Smith |

| | | | |
|-------------|---------------|--------------|-----------------|
| Bieda | Hardman | Moolenaar | Spade |
| Bisbee | Hart | Mortimer | Stahl |
| Bradstreet | Hood | Murphy | Stakoe |
| Brandenburg | Hoogendyk | Newell | Stallworth |
| Brown | Hopgood | Nitz | Stewart |
| Byrum | Howell | Nofs | Tabor |
| Casperson | Huizenga | O'Neil | Taub |
| Caswell | Hummel | Palmer | Tobocman |
| Caul | Hune | Palsrok | Vagnozzi |
| Cheeks | Hunter | Pappageorge | Van Regenmorter |
| Clack | Jamnick | Pastor | Vander Veen |
| Condino | Johnson, Rick | Phillips | Voorhees |
| Dennis | Johnson, Ruth | Plakas | Walker |
| DeRoche | Julian | Pumford | Ward |
| DeRossett | Koetje | Reeves | Waters |
| Drolet | Kolb | Richardville | Wenke |
| Ehardt | Kooiman | Rivet | Whitmer |
| Elkins | LaJoy | Robertson | Williams |
| Emmons | LaSata | Rocca | Wojno |
| Farhat | Law | Sak | Woodward |
| Farrah | Lipsey | Shackleton | Woronchak |
| Gaffney | McConico | Shaffer | Zelenko |
| Garfield | | | |

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 3:

Senate Bill Nos. 1277 1278 1279 1280 1281 1282 1283 1284 1285

The Clerk announced that the following bill had been printed and placed upon the files of the members on Friday, June 4:

Senate Bill No. 1286

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 9:

House Bill Nos. 5976 5977 5978

The Clerk announced that the following Senate bills had been received on Wednesday, June 9:

Senate Bill Nos. 831 832 1133 1135 1201 1202 1203 1240

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4213, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 626 (MCL 380.626).

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Tabor, Voorhees, Vander Veen, Stahl, Gielegem, Vagnozzi, Spade, Hopgood, Meisner and Clack
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 8, 2004

Present: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Tabor, Voorhees, Vander Veen, Stahl, Gielegem, Vagnozzi, Spade, Hopgood, Meisner and Clack

Absent: Reps. Ruth Johnson, Nofs and Smith

Excused: Reps. Ruth Johnson, Nofs and Smith

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

House Bill No. 5977, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 6 (MCL 397.556), as amended by 2001 PA 65.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, Hager, Stakoe, Jamnick, Tobocman and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ward, Chair, of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Wednesday, June 9, 2004

Present: Reps. Ward, Robertson, Hager, Stakoe, Jamnick, Tobocman and Accavitti

Absent: Reps. DeRossett, Drolet, Wenke and Hardman

Excused: Reps. DeRossett, Drolet, Wenke and Hardman

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5846, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 28 of chapter V (MCL 765.28), as amended by 2002 PA 659.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

Senate Bill No. 151, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 6 of chapter V (MCL 765.6), as amended by 1988 PA 46.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 2004

Present: Reps. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

The Committee on Conservation and Outdoor Recreation, by Rep. Tabor, Chair, reported

Senate Bill No. 927, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43705 (MCL 324.43705), as added by 2001 PA 50.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Tabor, Milosch, Bradstreet, Ehardt, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 2004

Present: Reps. Tabor, Milosch, Bradstreet, Ehardt, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti

Absent: Rep. Richardville

Excused: Rep. Richardville

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 9, 2004

Present: Reps. Bradstreet, Huizenga, Middaugh, LaSata, Casperson, DeRoche, Garfield, LaJoy, Nitz, Palsrok, Stahl, Rivet, Woodward, Hopgood, Murphy and Stallworth

Absent: Reps. Bisbee, McConico and Daniels

Excused: Reps. Bisbee and Daniels

Messages from the Senate**House Bill No. 5008, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 226 and 802 (MCL 257.226 and 257.802), as amended by 2003 PA 152.

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

The House agreed to the full title.

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

House Bill No. 5273, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 7c (MCL 480.17c), as amended by 2002 PA 118.

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

The House agreed to the full title.

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

House Bill No. 5504, entitled

A bill to provide for a streamlined system of sales and use tax collection; to prescribe the requirements necessary for this state to adopt a multistate agreement; to provide for a board with certain powers and duties; to provide for the registration of sellers who select a model of collection and remittance; to forgive liability of collection of sales and use taxes on past transactions for certain sellers; to assure privacy of buyers; and to prescribe certain powers and duties of state officials and state departments.

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

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

House Bill No. 5730, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 517 (MCL 436.1517).

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

The House agreed to the full title.

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

House Bill No. 5494, entitled

A bill to create the Michigan law enforcement officers memorial monument fund; to establish a commission to govern the monument fund; to prescribe the purpose of the monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission and monument fund.

The Senate has amended the bill as follows:

1. Amend page 3, line 15, after "commission" by inserting "appointed under subsection (1)(c)".
2. Amend page 3, line 18, after "appointment." by inserting "The governor may remove a member of the commission for incompetency, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or any other good cause."
3. Amend page 3, line 22, after "section 5." by inserting "At the first meeting, the commission shall elect from among its members a chairperson and other officers as it considers necessary or appropriate."
4. Amend page 4, following line 4, by inserting:

"(5) Members of the commission shall serve without compensation. However, members of the commission may be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as members of the commission."

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

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

House Bill No. 5502, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 3, 3a, 4, 4a, 4d, 4f, 4o, 5, 6, 6a, 8, 9, 9a, 10, 11, and 14 (MCL 205.92, 205.93, 205.93a, 205.94, 205.94a, 205.94d, 205.94f, 205.94o, 205.95, 205.96, 205.96a, 205.98, 205.99, 205.99a, 205.100, 205.101, and 205.104), sections 2 and 4 as amended by 2002 PA 669, section 3 as amended by 2003 PA 27, section 3a as amended by 2002 PA 455, section 4d as amended by 2000 PA 328, section 4f as amended by 1998 PA 266, sections 4o, 8, and 9a as added by 1999 PA 117, section 5 as amended by 2002 PA 580, section 6 as amended by 2003 PA 24, section 6a as added by 2002 PA 511, section 10 as amended by 1998 PA 366, section 11 as added by 2000 PA 153, and section 14 as amended by 1986 PA 41, and by adding sections 2b, 3c, 12, 13, 14a, 14b, 17, 19, and 20; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 73, line 15, after "effect" by striking out "July 1, 2004" and inserting "September 1, 2004".

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

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

House Bill No. 5503, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 2, 2a, 3, 4, 4a, 4e, 4f, 4g, 4i, 4j, 4k, 4m, 4o, 4p, 4q, 4r, 4s, 4t, 4u, 4w, 4x, 5b, 6, 8, 9, 10, 17, and 23 (MCL 205.51, 205.52, 205.52a, 205.53, 205.54, 205.54a, 205.54e, 205.54f, 205.54g, 205.54i, 205.54j, 205.54k, 205.54m, 205.54o, 205.54p, 205.54q, 205.54r, 205.54s, 205.54t, 205.54u, 205.54w, 205.54x, 205.55b, 205.56, 205.58, 205.59, 205.60, 205.67, and 205.73), section 1 as amended by 2000 PA 390, sections 2 and 23 as amended by 1993 PA 325, section 2a as added by 1984 PA 228, section 3 as amended by 2002 PA 457, section 4 as amended by 1998 PA 267, sections 4a, 4j, and 4q as amended and sections 4r, 4t, 4u, and 4w as added by 1999 PA 116, section 4g as amended by 2000 PA 417, section 4i as added by 1982 PA 23, section 4k as added by 1986 PA 42, section 4m as added by 1993 PA 238, section 4o as added by 1994 PA 156, section 4p as added by 1998 PA 274, section 4s as added by 1999 PA 105, section 4x as amended by 2001 PA 40, section 5b as added by 2002 PA 510, section 6 as amended by 1998 PA 453, section 9 as amended by 1998 PA 365, section 10 as added by 2000 PA 149, and section 17 as amended by 2001 PA 102, and by adding sections 1a, 4d, 4h, 6b, 11, 12, 18, 19, 20, and 21; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 75, line 23, after "effect" by striking out "July 1, 2004" and inserting "September 1, 2004".

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

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

House Bill No. 5505, entitled

A bill to impose taxes and create credits and refundable credits to modify and equalize the impact of changes made to the general sales tax act and use tax act necessary to bring those taxes into compliance with the streamlined sales tax agreement so this state may participate in the streamlined sales tax system and governing board; to prescribe certain powers and duties of certain state departments; and to provide for the disbursement of certain proceeds.

The Senate has amended the bill as follows:

1. Amend page 6, line 23, after "effect" by striking out "July 1, 2004" and inserting "September 1, 2004".

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

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

House Bill No. 5681, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 76505 and 76507 (MCL 324.76505 and 324.76507), as added by 1995 PA 58, and by adding section 76507a.

The Senate has amended the bill as follows:

1. Amend page 2, line 3, after "park" by inserting "without a permit".

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

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

House Bill No. 5731, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 517a.

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

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 831, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 97.

The Senate has passed the bill.

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

Senate Bill No. 832, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109h.

The Senate has passed the bill.

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

Senate Bill No. 1133, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 205.

The Senate has passed the bill.

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

Senate Bill No. 1135, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 20517 and 20519.

The Senate has passed the bill.

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

Senate Bill No. 1201, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 3 (MCL 125.1653), as amended by 1993 PA 323.

The Senate has passed the bill.

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

Senate Bill No. 1202, entitled

A bill to provide for the establishment of a historical neighborhood tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

The Senate has passed the bill.

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

Senate Bill No. 1203, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8395 (MCL 600.8395).

The Senate has passed the bill.

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

Senate Bill No. 1240, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 7 (MCL 125.1657), as amended by 1985 PA 221.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Palsrok introduced

House Bill No. 5979, entitled

A bill to amend 1979 PA 53, entitled "An act to prohibit access to computers, computer systems, and computer networks for certain fraudulent purposes; to prohibit intentional and unauthorized access, alteration, damage, and destruction of computers, computer systems, computer networks, computer software programs, and data; and to prescribe penalties," (MCL 752.791 to 752.797) by amending the title and by adding sections 5a and 7a.

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

Rep. Mortimer introduced

House Bill No. 5980, entitled

A bill to amend 1953 PA 66, entitled "An act to prohibit the opening of any retail or wholesale new and used car business on the first day of the week, commonly called Sunday, for the purpose of carrying on or engaging in the business of offering to buy, sell, exchange, trade or participate in the negotiation thereof of any type or kind of automobile, on the first day of the week, commonly called Sunday," by amending section 4 (MCL 435.254).

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

Reps. Hunter, Ward, McConico, Rivet, Tobocman, Walker and Kolb introduced

House Bill No. 5981, entitled

A bill to provide for the establishment of a neighborhood improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Reps. Nitz, Wenke and LaJoy introduced

House Bill No. 5982, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37h.

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

Reps. Spade, Dennis, Milosch, Bieda, Gleason and Gielegem introduced

House Bill No. 5983, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279g.

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

Reps. Middaugh, Vander Veen, Hune, Emmons, Tobocman, Voorhees and Walker introduced

House Bill No. 5984, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7hh.

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

Reps. Middaugh, Palsrok, O'Neil, Jamnick, Garfield, Voorhees and Vander Veen introduced

House Bill No. 5985, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1307a, 1314, 1320, 1333, 1334, 1335, 1337, 1343, 1346, 1348, and 1374 (MCL 600.1307a, 600.1314, 600.1320, 600.1333, 600.1334, 600.1335, 600.1337, 600.1343, 600.1346, 600.1348, and 600.1374), sections 1307a, 1320, 1333, 1334, 1335, 1337, 1343, and 1346 as amended by 2004 PA 12 and section 1348 as amended by 1982 PA 234, and by adding section 1344a.

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

Reps. Bieda, Hart and Meisner introduced

House Bill No. 5986, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 59a. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Second Reading of Bills

House Bill No. 5930, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 8115a. The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. O'Neil be excused temporarily from today's session.

The motion prevailed.

Rep. Hummel moved that Rep. Palmer be excused from the balance of today's session.

The motion prevailed.

Rep. Sheltroun moved that Rep. Rivet 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. 5930, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 8115a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 449

Yeas—102

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Garfield | McConico | Sheltroun |
| Acciavatti | Gieleghem | Meisner | Shulman |
| Adamini | Gillard | Meyer | Smith |
| Amos | Gleason | Middaugh | Spade |
| Bieda | Hager | Milosch | Stahl |
| Bisbee | Hardman | Moolenaar | Stakoe |
| Bradstreet | Hart | Mortimer | Stallworth |
| Brandenburg | Hood | Murphy | Stewart |
| Brown | Hoogendyk | Newell | Tabor |
| Byrum | Hopgood | Nitz | Taub |
| Casperson | Howell | Nofs | Tobocman |
| Caswell | Huizenga | Palsrok | Vagnozzi |
| Caul | Hummel | Pappageorge | Van Regenmorter |
| Cheeks | Hune | Pastor | Vander Veen |
| Clack | Hunter | Phillips | Voorhees |
| Condino | Jamnack | Plakas | Walker |
| Dennis | Johnson, Rick | Pumford | Ward |
| DeRoche | Johnson, Ruth | Reeves | Waters |
| DeRossett | Julian | Richardville | Wenke |
| Drolet | Koetje | Robertson | Whitmer |

Ehardt
Elkins
Emmons
Farhat
Farrah
Gaffney

Kolb
Kooiman
LaJoy
LaSata
Law
Lipsey

Rocca
Sak
Shackleton
Shaffer
Sheen

Williams
Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 1067, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Reeves moved to amend the bill as follows:

1. Amend page 19, line 19, after “is” by striking out “\$5,605,992.00” and inserting “\$5,605,892.00”.

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

Rep. Emmons moved to amend the bill as follows:

1. Amend page 6, line 27, by striking out “64,768,000” and inserting “100” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Emmons demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 450

Yeas—9

Acciavatti
Bradstreet
Brandenburg

Drolet
Emmons

Hummel
Johnson, Rick

Tabor
Whitmer

Nays—91

Accavitti
Adamini

Hager
Hardman

Milosch
Moolenaar

Shulman
Smith

| | | | |
|------------|---------------|--------------|-----------------|
| Amos | Hart | Mortimer | Spade |
| Bieda | Hood | Murphy | Stahl |
| Bisbee | Hoogendyk | Newell | Stakoe |
| Brown | Hopgood | Nitz | Stallworth |
| Byrum | Howell | Nofs | Stewart |
| Casperson | Huizenga | O'Neil | Taub |
| Caswell | Hune | Palsrok | Tobocman |
| Caul | Hunter | Pappageorge | Vagnozzi |
| Cheeks | Jamnick | Pastor | Van Regenmorter |
| Clack | Johnson, Ruth | Phillips | Vander Veen |
| Condino | Julian | Plakas | Voorhees |
| DeRoche | Koetje | Pumford | Walker |
| DeRossett | Kooiman | Richardville | Ward |
| Elkins | LaJoy | Rivet | Waters |
| Farhat | LaSata | Robertson | Wenke |
| Farrah | Law | Rocca | Williams |
| Gaffney | Lipsey | Sak | Wojno |
| Garfield | McConico | Shackleton | Woodward |
| Gielegghem | Meisner | Shaffer | Woronchak |
| Gillard | Meyer | Sheen | Zelenko |
| Gleason | Middaugh | Sheltrown | |

In The Chair: Julian

Rep. Caul moved to amend the bill as follows:

1. Amend page 22, line 1, after "textbooks." by inserting "It is the legislative intent that the presidents council, state universities of Michigan, shall review and report to the house and senate appropriations subcommittees on higher education on the prices of textbooks required at Michigan's public universities."

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

Rep. Nitz moved that Rep. Shackleton be excused temporarily from today's session.

The motion prevailed.

Rep. Drolet moved to amend the bill as follows:

1. Amend page 37, following line 1, by inserting:

"Sec. 1303. No state institution of higher education shall receive funding under this act if the state institution of higher education discriminates against, or grants preferential treatment to, admission applicants on the basis of race, religion, creed, or national origin."

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

Rep. Drolet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 451

Yeas—57

| | | | |
|------------|----------|----------|---------|
| Acciavatti | Gaffney | LaJoy | Rocca |
| Amos | Garfield | Meyer | Shaffer |
| Bieda | Gillard | Middaugh | Sheen |
| Bisbee | Hager | Milosch | Shulman |

| | | | |
|-------------|---------------|--------------|-----------------|
| Bradstreet | Hoogendyk | Moolenaar | Stahl |
| Brandenburg | Howell | Mortimer | Stakoe |
| Casperson | Huizenga | Newell | Tabor |
| Caswell | Hummel | Nitz | Taub |
| DeRoche | Hune | Nofs | Van Regenmorter |
| DeRossett | Johnson, Rick | Palsrok | Vander Veen |
| Drolet | Johnson, Ruth | Pappageorge | Voorhees |
| Ehardt | Julian | Pastor | Walker |
| Elkins | Koetje | Richardville | Ward |
| Emmons | Kooiman | Robertson | Wojno |
| Farhat | | | |

Nays—44

| | | | |
|-----------|---------|-----------|------------|
| Accavitti | Gleason | McConico | Smith |
| Adamini | Hardman | Meisner | Stallworth |
| Brown | Hart | Murphy | Stewart |
| Byrum | Hood | O'Neil | Tobocman |
| Caul | Hopgood | Phillips | Vagnozzi |
| Cheeks | Hunter | Plakas | Waters |
| Clack | Jamnick | Pumford | Wenke |
| Condino | Kolb | Reeves | Whitmer |
| Dennis | LaSata | Rivet | Williams |
| Farrah | Law | Sak | Woodward |
| Gielegem | Lipsey | Sheltrown | Zelenko |

In The Chair: Julian

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 24, following line 9, by inserting:

“(8) As used in this section, “fee” means any fee that will be paid by more than half of all resident undergraduate students at least once during their enrollment at a state university.”.

2. Amend page 36, following line 24, by inserting:

“(8) As used in this section, “fee” means any fee that will be paid by more than half of all resident undergraduate students at least once during their enrollment at a state university.”.

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

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

The motion prevailed.

Rep. Richardville 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. 1067, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004 and for the fiscal year ending September 30, 2005; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Waters moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Rep. Waters demanded a division of the House.

The demand was supported.

The question being on the motion made by Rep. Waters,
 The motion did not prevail, a majority of the members present not voting therefor.
 The question being on the passage of the bill,
 The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 452**Yeas—55**

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Gaffney | Meyer | Shaffer |
| Amos | Garfield | Middaugh | Sheen |
| Bisbee | Hager | Milosch | Shulman |
| Bradstreet | Hoogendyk | Moolenaar | Stahl |
| Brandenburg | Howell | Mortimer | Stakoe |
| Casperson | Huizenga | Newell | Tabor |
| Caswell | Hummel | Nitz | Taub |
| Caul | Hune | Palsrok | Van Regenmorter |
| DeRoche | Johnson, Rick | Pappageorge | Vander Veen |
| DeRossett | Johnson, Ruth | Pastor | Voorhees |
| Drolet | Julian | Richardville | Walker |
| Ehardt | Koetje | Robertson | Ward |
| Emmons | Kooiman | Rocca | Wenke |
| Farhat | LaJoy | Shackleton | |

Nays—48

| | | | |
|-----------|---------|-----------|------------|
| Accavitti | Gillard | McConico | Smith |
| Adamini | Gleason | Meisner | Spade |
| Bieda | Hardman | Murphy | Stallworth |
| Brown | Hart | Nofs | Stewart |
| Byrum | Hood | O'Neil | Tobocman |
| Cheeks | Hopgood | Phillips | Vagnozzi |
| Clack | Hunter | Plakas | Waters |
| Condino | Jamnick | Pumford | Whitmer |
| Dennis | Kolb | Reeves | Williams |
| Elkins | LaSata | Rivet | Wojno |
| Farrah | Law | Sak | Woodward |
| Gielegem | Lipsey | Sheltrown | Zelenko |

In The Chair: Julian

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

Reps. Law, Brown, Byrum and Gleason, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on final passage of Senate Bill 1067 because the Legislature chose to overstep its constitutional authority in a way that will be extremely harmful to Michigan’s universities. The Michigan Constitution clearly grants authority over admissions policies to the boards in control of each university, not to the state Legislature. While the use of preferential policies in college admissions remains controversial, this is an issue that has been discussed all the way to the United States Supreme Court, which ruled that such policies are legal and may be used to advance the goal of a diverse educational environment. Whether universities choose to adopt such policies or not, the Legislature should not

micromanage university operations by tying such decisions to the availability of state funding. Doing so will jeopardize the excellence and independence Michigan's public universities have achieved for the past 187 years."

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

"Mr. Speaker and members of the House:

I voted no on final passage of Senate Bill 1067 because in adopting the Drolet Amendment #5 today, the Legislature chose to overstep its constitutional authority in a way that will be extremely harmful not only to Michigan's universities, but to the overall social health of the state for many years into the future.

The Michigan Constitution clearly grants authority over admissions policies to the Boards in control of each university, not to the state Legislature. And while the use of preferential policies in college admissions remains controversial, the United States Supreme Court has ruled that such policies are legal and may be used to advance the goal of a diverse educational environment.

I support the University of Michigan's admissions policies and similar policies because the inequity of our nation's past actions continue to negatively effect the opportunities of people today. Dr. Martin Luther King Jr. said in his book *Why We Can't Wait*, "... it is obvious that if a man is entered at the starting line in a race three hundred years after another man, the first would have to perform some impossible feat in order to catch up with his fellow runner."

Furthermore, admissions policies at the University of Michigan in particular have proven extremely successful in that they have helped the University produce generations of scholars whose efforts upon graduating have greatly benefited this state."

Second Reading of Bills

House Bill No. 5931, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 834 (MCL 500.834), as amended by 2000 PA 378.

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

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 12, line 27, after "**supplements**" by inserting a comma and "**replacements**,".
2. Amend page 13, line 2, after "**shall**" by striking out "**be**" and inserting "**only take effect if**".

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 3, line 4, after "**2001**" by inserting "**CSO**".
2. Amend page 13, line 7, after "**policies**" by striking out "**exempt under paragraph 3a of**" and inserting "**otherwise exempt under**".
3. Amend page 14, line 19, by striking out all of lines 19 through 21 and inserting:
"(7) In valuing life insurance policies pursuant to appendix A-830 of the NAIC accounting practices and procedures manual, all of the following apply:".

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

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

The motion prevailed.

Rep. Richardville 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. 5931, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 834 (MCL 500.834), as amended by 2000 PA 378.

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

Roll Call No. 453**Yeas—103**

| | | | |
|-------------|---------------|--------------|-------------|
| Accavitti | Garfield | McConico | Sheen |
| Acciavatti | Gielegem | Meisner | Sheltrown |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Smith |
| Bieda | Hager | Milosch | Spade |
| Bisbee | Hardman | Moolenaar | Stahl |
| Bradstreet | Hart | Mortimer | Stakoe |
| Brandenburg | Hood | Murphy | Stallworth |
| Brown | Hoogendyk | Newell | Stewart |
| Byrum | Hopgood | Nitz | Tabor |
| Casperson | Howell | Nofs | Taub |
| Caswell | Huizenga | O'Neil | Tobocman |
| Caul | Hummel | Palsrok | Vagnozzi |
| Cheeks | Hune | Pappageorge | Vander Veen |
| Clack | Hunter | Pastor | Voorhees |
| Condino | Jamnick | Phillips | Walker |
| Dennis | Johnson, Rick | Plakas | Ward |
| DeRoche | Johnson, Ruth | Pumford | Waters |
| DeRossett | Julian | Reeves | Wenke |
| Drolet | Koetje | Richardville | Whitmer |
| Ehardt | Kolb | Rivet | Williams |
| Elkins | Kooiman | Robertson | Wojno |
| Emmons | LaJoy | Rocca | Woodward |
| Farhat | LaSata | Sak | Woronchak |
| Farrah | Law | Shackleton | Zelenko |
| Gaffney | Lipsey | Shaffer | |

Nays—1

Van Regenmorter

In The Chair: Julian

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

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

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 834 and 4060 (MCL 500.834 and 500.4060), section 834 as amended by 2000 PA 378 and section 4060 as amended by 1993 PA 349, and by adding section 838.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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. 5656, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 237c.

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

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. Richardville 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. 5656, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 237c.

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

Roll Call No. 454

Yeas—61

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Hart | Moolenaar | Shulman |
| Amos | Hoogendyk | Mortimer | Stahl |
| Bisbee | Howell | Newell | Stakoe |
| Bradstreet | Huizenga | Nitz | Stewart |
| Brandenburg | Hummel | Palsrok | Tabor |
| Casperson | Hune | Pappageorge | Taub |
| Caswell | Johnson, Rick | Pastor | Van Regenmorter |
| Caul | Johnson, Ruth | Pumford | Vander Veen |
| DeRoche | Julian | Richardville | Voorhees |
| DeRossett | Koetje | Robertson | Walker |
| Ehardt | Kooiman | Rocca | Ward |
| Emmons | LaJoy | Sak | Wenke |
| Farhat | Meyer | Shackleton | Woodward |
| Gaffney | Middaugh | Shaffer | Woronchak |
| Garfield | Milosch | Sheen | Zelenko |
| Hager | | | |

Nays—38

| | | | |
|-----------|---------|-----------|------------|
| Accavitti | Gillard | McConico | Smith |
| Bieda | Gleason | Meisner | Spade |
| Brown | Hardman | Murphy | Stallworth |
| Byrum | Hood | O'Neil | Tobocman |
| Cheeks | Hopgood | Phillips | Vagnozzi |
| Clack | Hunter | Plakas | Waters |
| Condino | Jamnick | Reeves | Whitmer |
| Dennis | LaSata | Rivet | Williams |
| Elkins | Law | Sheltrown | Wojno |
| Farrah | Lipsey | | |

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I voted no on House Bill 5656 because it would bind the State when entering into contracts with design professionals. If the legislature were to attempt to place the same restriction on businesses when contracting with one another, the business community would rightfully be outraged. As this bill would essentially limit liability for design professionals to the amount of the contract, this would be inadequate because there are situations where the failure of the design professional to meet its’ responsibilities can lead to far greater consequences than the contractual amount.”

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

“Mr. Speaker and members of the House:

I voted no on House Bill 5656 because it would bind the hands of the State when entering into contracts with design professionals. If the Legislature were to attempt to place the same restriction on businesses when contracting with one another, the businesses would rightfully be outraged. If a business does not wish to accept the terms of a contract, no one requires it to do so. These decisions (whether the architect should indemnify the party that contracted with him or her) are best left to the negotiation process and are an integral part of the competition between providers that is necessary to make sure that the State gets full value for its dollar.

Furthermore, the bill would essentially limit liability for design professionals to the amount of their contract. This is inadequate because there are situations where the failure of the design professional to meet its’ responsibilities can lead to far greater consequences than the contractual amount. For example, when a design professional delays a project, the costs may well exceed the amount of the contract.”

Second Reading of Bills

Senate Bill No. 1069, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11b, 11f, 11g, 11j, 13, 15, 18a, 19, 20, 21b, 22a, 22b, 24, 26, 26a, 31a, 31d, 32c, 32d, 32f, 32j, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 104a, 107, 147, 152, 158b, and 166a (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611b, 388.1611f, 388.1611g, 388.1611j, 388.1613, 388.1615, 388.1618a, 388.1619, 388.1620, 388.1621b, 388.1622a, 388.1622b, 388.1624, 388.1626, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632f, 388.1632j, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1747, 388.1752, 388.1758b, and 388.1766a), sections 3, 6, 11f, 11g, 11j, 19, 20, 22a, 22b, 24, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 98, 99, 101, 104a, 107, 147, and 166a as amended and sections 32j, 41a, and 98b as added by 2003 PA 158, section 4 as amended by 1995 PA 130, sections 11, 11b, and 26a as amended by 2003 PA 236, section 13 as amended by 1999 PA 119, sections 15 and 18a as amended by 1996 PA 300, sections 21b and 152 as amended by 2000 PA 297, section 26 as amended by 1997 PA 93, section 32f as amended by 2002 PA 521, section 94a as amended by 2003 PA 180, and section 158b as added by 1994 PA 283, and by adding section 146; 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 Appropriations,

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

Rep. Hunter moved to amend the bill as follows:

1. Amend page 37, following line 1, by inserting:

“Sec. 17c. From the amount of each state school aid payment for a public school academy, the department shall withhold as an oversight assessment an amount equal to 10% of the amount of the payment that is attributable to the public school academy’s foundation allowance under section 20. This amount shall be considered to have been paid to the fiscal agent of the public school academy as part of the public school academy’s state school aid. The department shall use this oversight assessment for increased department oversight of the public school academy.”

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

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 54, line 23, after “subsection.” by striking out the balance of the subsection.

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

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 69, line 20, by striking out all of section 24 and inserting:

~~“Sec. 24. (1) Subject to subsection (2), from~~ **From** the appropriation in section 11, there is allocated ~~each fiscal year for 2002-2003, and for 2003-2004 for 2004-2005 an amount not to exceed \$8,000,000.00 for payments to the educating district or intermediate district an amount equal to 100% of the added cost each fiscal year for educating all pupils assigned by a court or the family independence agency to reside in or to attend a juvenile detention facility or child caring institution licensed by the family independence agency or the department of consumer and industry services and approved by the department to provide an on-grounds education program. The total amount to be paid under this section for added cost shall not exceed \$8,900,000.00 for 2002-2003 and \$8,000,000.00 for 2003-2004. The amount of the payment under this section to a district or intermediate district shall be calculated as prescribed under subsection (2).~~

(2) For 2004-2005, 70% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the lesser of the district’s or intermediate district’s added cost or the department’s approved per pupil allocation for the district or intermediate district, and 30% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the district’s or intermediate district’s added cost. For 2005-2006, 80% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the lesser of the district’s or intermediate district’s added cost or the department’s approved per pupil allocation for the district or intermediate district, and 20% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the district’s or intermediate district’s added cost. For 2006-2007, 90% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the lesser of the district’s or intermediate district’s added cost or the department’s approved per pupil allocation for the district or intermediate district, and 10% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the district’s or intermediate district’s added cost. For 2007-2008, 100% of the total amount allocated under this section shall be allocated by paying to the educating district or intermediate district an amount equal to the lesser of the district’s or intermediate district’s added cost or the department’s approved per pupil allocation for the district or intermediate district. For the purposes of this section, “added cost” subsection:

(a) “Added cost” means 100% of the added cost each fiscal year for educating all pupils assigned by a court or the family independence agency to reside in or to attend a juvenile detention facility or child caring institution licensed by the family independence agency or the department of consumer and industry services and approved by the department to provide an on-grounds education program. Added cost shall be computed by deducting all other revenue received under this act for pupils described in this section from total costs, as approved by the department, in whole or in part, for educating those pupils in the on-grounds education program or in a program approved by the department that is located on property adjacent to a juvenile detention facility or child caring institution. Costs reimbursed by federal funds are not included. ~~For 2003-2004 only, for an on-grounds education program or a program located on property adjacent to a juvenile detention facility or child caring institution that was not in existence at the time the allocations under this section were approved, the department shall give approval for only that portion of the educating district’s or intermediate district’s total costs that will not prevent the allocated amounts under this section from first being applied to 100% of the added cost of the programs that were in existence at the time the preliminary allocations under this section were approved.~~

(b) “Department’s approved per pupil allocation” for a district or intermediate district shall be determined by dividing the total amount allocated under this section for a fiscal year by the full-time equated membership total for all pupils approved by the department to be funded under this section for that fiscal year for the district or intermediate district.

(3) ~~(2)~~ A district or intermediate district educating pupils described in this section at a residential child caring institution may operate, and receive funding under this section for, a department-approved on-grounds educational program for those pupils that is longer than 181 days, but not longer than 233 days, if the child caring institution was licensed as a child caring institution and offered in 1991-92 an on-grounds educational program that was longer than 181 days but not longer than 233 days and that was operated by a district or intermediate district.

(4) ~~(3)~~ Special education pupils funded under section 53a shall not be funded under this section.

~~(4) The department shall appoint a committee to study and make recommendations concerning issues related to the education of pupils under this section, including, but not limited to, pupil counts, cost controls, and the number and type of eligible programs under this section. The committee may include, but is not limited to, appointees from 1 or more adjudicated youth educators associations, the house fiscal agency, the senate fiscal agency, the department of management and budget, the family independence agency, the department of corrections, the court system, and the department. Not later than May 15, 2004, the committee shall submit its recommendations to the house and senate appropriations subcommittees responsible for this act and to the department of management and budget.”.~~

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

Rep. Whitmer moved to reconsider the vote by which the House adopted the amendment.

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

Rep. Whitmer demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 455

Yeas—42

| | | | |
|-----------|----------|-----------|------------|
| Accavitti | Gillard | Meisner | Spade |
| Adamini | Gleason | Murphy | Stallworth |
| Bieda | Hardman | O'Neil | Tobocman |
| Brown | Hood | Phillips | Vagnozzi |
| Byrum | Hopgood | Plakas | Waters |
| Cheeks | Hunter | Reeves | Whitmer |
| Condino | Jamnick | Rivet | Williams |
| Dennis | Kolb | Sak | Wojno |
| Elkins | Law | Sheltrown | Woodward |
| Farrah | Lipsey | Smith | Zelenko |
| Gielegem | McConico | | |

Nays—62

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Garfield | Middaugh | Shaffer |
| Amos | Hager | Milosch | Sheen |
| Bisbee | Hart | Moolenaar | Shulman |
| Bradstreet | Hoogendyk | Mortimer | Stahl |
| Brandenburg | Howell | Newell | Stakoe |
| Casperson | Huizenga | Nitz | Stewart |
| Caswell | Hummel | Nofs | Tabor |
| Caul | Hune | Palsrok | Taub |
| Clack | Johnson, Rick | Pappageorge | Van Regenmorter |
| DeRoche | Johnson, Ruth | Pastor | Vander Veen |
| DeRossett | Julian | Pumford | Voorhees |
| Drolet | Koetje | Richardville | Walker |
| Ehardt | Kooiman | Robertson | Ward |
| Emmons | LaJoy | Rocca | Wenke |
| Farhat | LaSata | Shackleton | Woronchak |
| Gaffney | Meyer | | |

In The Chair: Julian

Rep. Palsrok moved to amend the bill as follows:

1. Amend page 25, line 23, after “**district**” by inserting “**has 500 or fewer pupils in membership or**”.

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 21, line 18, by striking out “**\$137,907,700.00**” and inserting “**\$224,107,700.00**”.

2. Amend page 40, line 5, after “is” by striking out “**\$6,700.00**” and inserting “**\$6,750.00**”.

3. Amend page 65, line 6, by striking out “**\$2,901,700,000.00**” and inserting “**\$2,987,900,000.00**” and adjusting section 11 and enacting section 1 accordingly.

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

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 156, line 20, after “**epidemics,**” by inserting “**utility power unavailability, water or sewer failure,**”. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Walker moved to amend the bill as follows:

1. Amend page 57, following line 12, by inserting:

“Sec. 20j. (1) Foundation allowance supplemental payments to districts that **have fewer than 300 pupils in membership and that** in the 1994-95 state fiscal year had a foundation allowance greater than \$6,500.00 shall be calculated under this section.

(2) The per pupil allocation to each **eligible** district under this section shall be the difference between the dollar amount of the adjustment from the 1998-99 state fiscal year to the current state fiscal year in the basic foundation allowance minus the dollar amount of the adjustment from the 1998-99 state fiscal year to the current state fiscal year in the district’s foundation allowance.

(3) If **a an eligible** district’s local revenue per pupil does not exceed the sum of its foundation allowance under section 20 plus the per pupil allocation under subsection (2), the total payment to the district calculated under this section shall be the product of the per pupil allocation under subsection (2) multiplied by the district’s membership excluding special education pupils. If **a an eligible** district’s local revenue per pupil exceeds the foundation allowance under section 20 but does not exceed the sum of the foundation allowance under section 20 plus the per pupil allocation under subsection (2), the total payment to the district calculated under this section shall be the product of the difference between the sum of the foundation allowance under section 20 plus the per pupil allocation under subsection (2) minus the local revenue per pupil multiplied by the district’s membership excluding special education pupils. If **a an otherwise eligible** district’s local revenue per pupil exceeds the sum of the foundation allowance under section 20 plus the per pupil allocation under subsection (2), there is no payment calculated under this section for the district.

(4) Payments to districts shall not be made under this section. Rather, the calculations under this section shall be made and used to determine the amount of state payments under section 22b.”.

2. Amend page 65, line 6, by striking out “**\$2,901,700,000.00**” and inserting “**\$2,847,985,000.00**” and adjusting the totals in section 11 and enacting section 1 accordingly.

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

Reps. Middaugh and Caswell moved to amend the bill as follows:

1. Amend page 54, line 26, by striking out all of subsection (21) and renumbering the remaining subsections.
2. Amend page 55, line 14, by striking out all of subsection (22) and renumbering the remaining subsections.

The question being on the adoption of the amendments offered by Reps. Middaugh and Caswell,

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Middaugh and Caswell,

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

Roll Call No. 456

Yeas—41

| | | | |
|-------------|---------------|-------------|-----------------|
| Acciavatti | Garfield | LaJoy | Shaffer |
| Amos | Hoogendyk | LaSata | Sheen |
| Bisbee | Huizenga | Middaugh | Stahl |
| Bradstreet | Hummel | Milosch | Stakoe |
| Brandenburg | Hune | Nitz | Taub |
| Casperson | Jamnick | Palsrok | Van Regenmorter |
| Caswell | Johnson, Ruth | Pappageorge | Vander Veen |
| Caul | Julian | Pastor | Voorhees |
| DeRoche | Koetje | Robertson | Walker |
| DeRossett | Kooiman | Rocca | Ward |
| Drolet | | | |

Nays—62

| | | | |
|-----------|---------|----------|-------|
| Accavitti | Gleason | Mortimer | Smith |
| Adamini | Hager | Murphy | Spade |

| | | | |
|------------|---------------|--------------|------------|
| Bieda | Hardman | Newell | Stallworth |
| Brown | Hart | Nofs | Stewart |
| Byrum | Hood | O'Neil | Tabor |
| Cheeks | Hopgood | Phillips | Tobocman |
| Clack | Howell | Plakas | Vagnozzi |
| Condino | Hunter | Pumford | Waters |
| Dennis | Johnson, Rick | Reeves | Wenke |
| Elkins | Kolb | Richardville | Whitmer |
| Emmons | Law | Rivet | Williams |
| Farhat | Lipsey | Sak | Wojno |
| Farrah | McConico | Shackleton | Woodward |
| Gaffney | Meisner | Sheltrown | Woronchak |
| Gielegghem | Meyer | Shulman | Zelenko |
| Gillard | Moolenaar | | |

In The Chair: Julian

Rep. Hunter moved to amend the bill as follows:

1. Amend page 37, following line 1, by inserting:

“Sec. 17c. From the amount of each state school aid payment for a public school academy, the department shall withhold as an oversight assessment an amount equal to one half of one percent of the amount of the payment that is attributable to the public school academy’s foundation allowance under section 20. This amount shall be considered to have been paid to the fiscal agent of the public school academy as part of the public school academy’s state school aid. The department shall use this oversight assessment for increased department oversight of the public school academy.”

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

Rep. Hunter demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 457

Yeas—45

| | | | |
|------------|---------|-----------|------------|
| Accavitti | Gillard | McConico | Spade |
| Adamini | Gleason | Meisner | Stallworth |
| Bieda | Hardman | O'Neil | Stewart |
| Brown | Hart | Phillips | Tobocman |
| Byrum | Hood | Plakas | Vagnozzi |
| Cheeks | Hopgood | Pumford | Waters |
| Clack | Hunter | Reeves | Whitmer |
| Condino | Jamnick | Rivet | Williams |
| Dennis | Kolb | Sak | Wojno |
| Elkins | Law | Sheltrown | Woodward |
| Farrah | Lipsey | Smith | Zelenko |
| Gielegghem | | | |

Nays—59

| | | | |
|------------|-----------|-----------|---------|
| Acciavatti | Garfield | Middaugh | Shaffer |
| Amos | Hager | Milosch | Sheen |
| Bisbee | Hoogendyk | Moolenaar | Shulman |
| Bradstreet | Howell | Mortimer | Stahl |

| | | | |
|-------------|---------------|--------------|-----------------|
| Brandenburg | Huizenga | Murphy | Stakoe |
| Casperson | Hummel | Newell | Tabor |
| Caswell | Hune | Nitz | Taub |
| Caul | Johnson, Rick | Nofs | Van Regenmorter |
| DeRoche | Johnson, Ruth | Palsrok | Vander Veen |
| DeRossett | Julian | Pappageorge | Voorhees |
| Drolet | Koetje | Pastor | Walker |
| Ehardt | Kooiman | Richardville | Ward |
| Emmons | LaJoy | Robertson | Wenke |
| Farhat | LaSata | Rocca | Woronchak |
| Gaffney | Meyer | Shackleton | |

In The Chair: Julian

Rep. Caul moved to amend the bill as follows:

1. Amend page 54, line 25, after “board.” by inserting “**This subsection only applies for 2002-2003 and 2003-2004. Beginning in 2004-2005, the foundation allowance of a district that received an increased foundation allowance for 2002-2003 and 2003-2004 due to adjustment under this subsection shall be calculated as if the adjustments under this subsection for 2002-2003 and 2003-2004 did not occur.**”.

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

Rep. Caul demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 458

Yeas—57

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Hager | Middaugh | Sheen |
| Amos | Hart | Milosch | Shulman |
| Bisbee | Hoogendyk | Mortimer | Stahl |
| Bradstreet | Howell | Newell | Stakoe |
| Brandenburg | Huizenga | Nitz | Stewart |
| Casperson | Hummel | Nofs | Tabor |
| Caswell | Hune | Palsrok | Taub |
| Caul | Johnson, Rick | Pappageorge | Van Regenmorter |
| DeRoche | Johnson, Ruth | Pastor | Vander Veen |
| DeRossett | Julian | Richardville | Voorhees |
| Drolet | Kooiman | Robertson | Walker |
| Ehardt | LaJoy | Rocca | Ward |
| Emmons | LaSata | Shackleton | Wenke |
| Farhat | Meyer | Shaffer | Woronchak |
| Garfield | | | |

Nays—45

| | | | |
|-----------|----------|-----------|------------|
| Accavitti | Gielegem | Lipsey | Smith |
| Adamini | Gillard | McConico | Spade |
| Bieda | Gleason | Meisner | Stallworth |
| Brown | Hardman | Moolenaar | Tobocman |
| Byrum | Hood | O’Neil | Vagnozzi |
| Cheeks | Hopgood | Phillips | Waters |
| Clack | Hunter | Plakas | Whitmer |
| Condino | Jamnick | Reeves | Williams |

| | | | |
|---------|--------|-----------|----------|
| Dennis | Koetje | Rivet | Wojno |
| Elkins | Kolb | Sak | Woodward |
| Farah | Law | Sheltrown | Zelenko |
| Gaffney | | | |

In The Chair: Julian

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 77, line 12, after “noncompliance.” by inserting “**Beginning in 2004-2005, to continue to receive funding for a teen health center under this section a grant recipient shall ensure that the teen health center has an advisory committee and that at least one-third of the members of the advisory committee are parents or legal guardians of school-aged children. A teen health center program shall recognize the role of a child’s parents or legal guardian in the physical and emotional well-being of the child.**”.

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 159, line 24, by striking out all of subsection (10).

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

Rep. Hoogendyk demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 459

Yeas—8

| | | | |
|------------|----------|-----------|----------|
| Acciavatti | Drolet | Hoogendyk | Sheen |
| Bradstreet | Garfield | Pastor | Voorhees |

Nays—91

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gielegem | Meisner | Sheltrown |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Spade |
| Bieda | Hager | Milosch | Stahl |
| Bisbee | Hardman | Moolenaar | Stakoe |
| Brandenburg | Hart | Murphy | Stallworth |
| Brown | Hopgood | Newell | Stewart |
| Byrum | Howell | Nitz | Tabor |
| Casperson | Huizenga | Nofs | Taub |
| Caswell | Hummel | O’Neil | Vagnozzi |
| Caul | Hune | Palsrok | Van Regenmorter |
| Cheeks | Hunter | Pappageorge | Vander Veen |
| Clack | Johnson, Rick | Phillips | Walker |
| Condino | Johnson, Ruth | Plakas | Ward |
| Dennis | Julian | Pumford | Waters |
| DeRoche | Koetje | Reeves | Wenke |
| DeRossett | Kolb | Richardville | Whitmer |
| Ehardt | Kooiman | Rivet | Williams |
| Elkins | LaJoy | Robertson | Wojno |
| Emmons | LaSata | Rocca | Woodward |
| Farhat | Law | Sak | Woronchak |

Farrah
Gaffney

Lipsey
McConico

Shackleton
Shaffer

Zelenko

In The Chair: Julian

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

Rep. Richardville 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. 1069, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11b, 11f, 11g, 11j, 13, 15, 18a, 19, 20, 21b, 22a, 22b, 24, 26, 26a, 31a, 31d, 32c, 32d, 32f, 32j, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 104a, 107, 147, 152, 158b, and 166a (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611b, 388.1611f, 388.1611g, 388.1611j, 388.1613, 388.1615, 388.1618a, 388.1619, 388.1620, 388.1621b, 388.1622a, 388.1622b, 388.1624, 388.1626, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632f, 388.1632j, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1747, 388.1752, 388.1758b, and 388.1766a), sections 3, 6, 11f, 11g, 11j, 19, 20, 22a, 22b, 24, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 98, 99, 101, 104a, 107, 147, and 166a as amended and sections 32j, 41a, and 98b as added by 2003 PA 158, section 4 as amended by 1995 PA 130, sections 11, 11b, and 26a as amended by 2003 PA 236, section 13 as amended by 1999 PA 119, sections 15 and 18a as amended by 1996 PA 300, sections 21b and 152 as amended by 2000 PA 297, section 26 as amended by 1997 PA 93, section 32f as amended by 2002 PA 521, section 94a as amended by 2003 PA 180, and section 158b as added by 1994 PA 283, and by adding section 146; 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. 460

Yeas—91

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gaffney | Meisner | Sheen |
| Acciavatti | Garfield | Meyer | Sheltrown |
| Adamini | Gielegem | Middaugh | Shulman |
| Amos | Gillard | Milosch | Spade |
| Bieda | Gleason | Moolenaar | Stahl |
| Bisbee | Hager | Mortimer | Stakoe |
| Bradstreet | Hart | Murphy | Stewart |
| Brandenburg | Hoogendyk | Newell | Tabor |
| Brown | Hopgood | Nitz | Taub |
| Byrum | Howell | Nofs | Vagnozzi |
| Casperson | Huizenga | O'Neil | Van Regenmorter |
| Caswell | Hummel | Palsrok | Vander Veen |
| Caul | Hune | Pappageorge | Voorhees |
| Clack | Jamnick | Pastor | Walker |
| Dennis | Johnson, Rick | Plakas | Ward |
| DeRoche | Johnson, Ruth | Pumford | Wenke |
| DeRossett | Julian | Richardville | Whitmer |
| Drolet | Koetje | Rivet | Williams |
| Ehardt | Kolb | Robertson | Wojno |
| Elkins | Kooiman | Rocca | Woodward |
| Emmons | LaJoy | Sak | Woronchak |
| Farhat | LaSata | Shackleton | Zelenko |
| Farrah | Law | Shaffer | |

Nays—13

| | | | |
|---------|----------|----------|------------|
| Cheeks | Hunter | Phillips | Stallworth |
| Condino | Lipsey | Reeves | Tobocman |
| Hardman | McConico | Smith | Waters |
| Hood | | | |

In The Chair: Julian

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

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

A bill to amend 1979 PA 94, entitled “An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 3, 4, 6, 11, 11b, 11f, 11g, 11j, 13, 15, 18a, 19, 20, 21b, 22a, 22b, 24, 26, 26a, 31a, 31d, 32c, 32d, 32f, 32j, 37, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 104a, 107, 147, 152, 158b, 163, and 166a (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611b, 388.1611f, 388.1611g, 388.1611j, 388.1613, 388.1615, 388.1618a, 388.1619, 388.1620, 388.1621b, 388.1622a, 388.1622b, 388.1624, 388.1626, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632f, 388.1632j, 388.1637, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1704a, 388.1707, 388.1747, 388.1752, 388.1758b, 388.1763, and 388.1766a), sections 3, 6, 11f, 11g, 11j, 19, 20, 22a, 22b, 24, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 98, 99, 101, 104a, 107, 147, and 166a as amended and sections 32j, 41a, and 98b as added by 2003 PA 158, section 4 as amended by 1995 PA 130, sections 11, 11b, and 26a as amended by 2003 PA 236, section 13 as amended by 1999 PA 119, sections 15 and 18a as amended by 1996 PA 300, sections 21b, 152, and 163 as amended by 2000 PA 297, section 26 as amended by 1997 PA 93, section 32f as amended by 2002 PA 521, section 37 as amended by 2002 PA 191, section 94a as amended by 2003 PA 180, and section 158b as added by 1994 PA 283, and by adding sections 20l, 22d, 32k, 107b, and 146; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

I voted no on SB 1069 because it strips funding for a promise made to the people of the city of Detroit when the legislature took away their publicly elected school board. No matter what happens in November of this year, the legislature should hold true to its promise until such time that the reform board is no longer in place.”

Second Reading of Bills**House Bill No. 5814, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending sections 4 and 16 (MCL 125.2154 and 125.2166), section 4 as amended by 2000 PA 248.

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. Meyer moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Richardville 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. 5814, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending sections 4 and 16 (MCL 125.2154 and 125.2166), section 4 as amended by 2000 PA 248.

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

Roll Call No. 461

Yeas—100

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gielegem | McConico | Shaffer |
| Acciavatti | Gillard | Meisner | Sheen |
| Adamini | Gleason | Meyer | Sheltrown |
| Amos | Hager | Middaugh | Shulman |
| Bieda | Hardman | Milosch | Smith |
| Bisbee | Hart | Moolenaar | Spade |
| Bradstreet | Hood | Mortimer | Stahl |
| Brandenburg | Hoogendyk | Murphy | Stallworth |
| Brown | Hopgood | Newell | Stewart |
| Byrum | Howell | Nitz | Tabor |
| Casperson | Huizenga | Nofs | Taub |
| Caul | Hummel | O'Neil | Tobocman |
| Cheeks | Hune | Palsrok | Vagnozzi |
| Clack | Hunter | Pappageorge | Van Regenmorter |
| Condino | Jamnick | Pastor | Vander Veen |
| Dennis | Johnson, Rick | Phillips | Voorhees |
| DeRoche | Johnson, Ruth | Plakas | Walker |
| DeRossett | Julian | Pumford | Waters |
| Ehardt | Koetje | Reeves | Wenke |
| Elkins | Kolb | Richardville | Whitmer |
| Emmons | Kooiman | Rivet | Williams |
| Farhat | LaJoy | Robertson | Wojno |
| Farrah | LaSata | Rocca | Woodward |
| Gaffney | Law | Sak | Woronchak |
| Garfield | Lipsey | Shackleton | Zelenko |

Nays—4

| | | | |
|---------|--------|--------|------|
| Caswell | Drolet | Stakoe | Ward |
|---------|--------|--------|------|

In The Chair: Julian

The House agreed to the title of the bill.
 Rep. Richardville 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. 5815, entitled

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending sections 3 and 18 (MCL 125.1653 and 125.1668), section 3 as amended by 1993 PA 323.

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

The motion prevailed.

Rep. Richardville 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. 5815, entitled

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending sections 3 and 18 (MCL 125.1653 and 125.1668), section 3 as amended by 1993 PA 323.

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—94

| | | | |
|-------------|---------------|--------------|-------------|
| Accavitti | Garfield | Meisner | Sheen |
| Acciavatti | Gielegem | Meyer | Sheltrown |
| Adamini | Gillard | Middaugh | Shulman |
| Amos | Gleason | Milosch | Smith |
| Bieda | Hager | Mortimer | Spade |
| Bisbee | Hardman | Murphy | Stahl |
| Bradstreet | Hart | Newell | Stallworth |
| Brandenburg | Hood | Nitz | Stewart |
| Brown | Hoogendyk | Nofs | Tabor |
| Byrum | Hopgood | O’Neil | Taub |
| Casperson | Howell | Palsrok | Tobocman |
| Caul | Hummel | Pappageorge | Vagnozzi |
| Cheeks | Hune | Pastor | Vander Veen |
| Clack | Hunter | Phillips | Voorhees |
| Condino | Jamnick | Plakas | Walker |
| Dennis | Johnson, Rick | Pumford | Waters |
| DeRoche | Johnson, Ruth | Richardville | Wenke |
| DeRossett | Julian | Rivet | Whitmer |

| | | | |
|---------|----------|------------|-----------|
| Ehardt | Koetje | Robertson | Williams |
| Elkins | Kolb | Rocca | Wojno |
| Emmons | LaSata | Sak | Woodward |
| Farhat | Law | Shackleton | Woronchak |
| Farrah | Lipsey | Shaffer | Zelenko |
| Gaffney | McConico | | |

Nays—9

| | | | |
|----------|---------|-----------|-----------------|
| Caswell | Kooiman | Moolenaar | Van Regenmorter |
| Drolet | LaJoy | Stakoe | Ward |
| Huizenga | | | |

In The Chair: Julian

The House agreed to the title of the bill.
 Rep. Richardville 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. 5816, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 3 and 17 (MCL 125.1803 and 125.1817), section 3 as amended by 1983 PA 148.

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

The motion prevailed.

Rep. Richardville 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. 5816, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 3 and 17 (MCL 125.1803 and 125.1817), section 3 as amended by 1983 PA 148.

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—95**

| | | | |
|-------------|----------|----------|------------|
| Accavitti | Garfield | Meisner | Sheen |
| Acciavatti | Gielegem | Meyer | Sheltrown |
| Adamini | Gillard | Middaugh | Shulman |
| Amos | Gleason | Milosch | Smith |
| Bieda | Hager | Mortimer | Spade |
| Bisbee | Hardman | Murphy | Stahl |
| Bradstreet | Hart | Newell | Stallworth |
| Brandenburg | Hood | Nitz | Stewart |

| | | | |
|-----------|---------------|--------------|-------------|
| Brown | Hoogendyk | Nofs | Tabor |
| Byrum | Hopgood | O'Neil | Taub |
| Casperson | Howell | Palsrok | Tobocman |
| Caul | Hummel | Pappageorge | Vagnozzi |
| Cheeks | Hune | Pastor | Vander Veen |
| Clack | Hunter | Phillips | Voorhees |
| Condino | Jamnick | Plakas | Walker |
| Dennis | Johnson, Rick | Pumford | Waters |
| DeRoche | Johnson, Ruth | Reeves | Wenke |
| DeRossett | Julian | Richardville | Whitmer |
| Ehardt | Koetje | Rivet | Williams |
| Elkins | Kolb | Robertson | Wojno |
| Emmons | LaSata | Rocca | Woodward |
| Farhat | Law | Sak | Woronchak |
| Farrah | Lipsey | Shackleton | Zelenko |
| Gaffney | McConico | Shaffer | |

Nays—9

| | | | |
|----------|---------|-----------|-----------------|
| Caswell | Kooiman | Moolenaar | Van Regenmorter |
| Drolet | LaJoy | Stakoe | Ward |
| Huizenga | | | |

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 1068, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Brown moved to amend the bill as follows:

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

“Western upper peninsula forest improvement district 50,000”.

2. Amend page 13, following line 21, by inserting:

“Forest development fund.....50,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 25, following line 16, by inserting:

“Sec. 703. The department shall place an appropriate number of defibrillators in state parks. The department may accept donated defibrillators.”.

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

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

The motion prevailed.

Rep. Richardville 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. 1068, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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—103

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Garfield | McConico | Sheltrown |
| Acciavatti | Gieleghem | Meisner | Shulman |
| Adamini | Gillard | Meyer | Smith |
| Amos | Gleason | Middaugh | Spade |
| Bieda | Hager | Milosch | Stahl |
| Bisbee | Hardman | Moolenaar | Stakoe |
| Bradstreet | Hart | Mortimer | Stallworth |
| Brandenburg | Hood | Murphy | Stewart |
| Brown | Hoogendyk | Newell | Tabor |
| Byrum | Hopgood | Nitz | Taub |
| Casperson | Howell | Nofs | Tobocman |
| Caswell | Huizenga | O'Neil | Vagnozzi |
| Caul | Hummel | Palsrok | Van Regenmorter |
| Cheeks | Hune | Pappageorge | Vander Veen |
| Clack | Hunter | Pastor | Voorhees |
| Condino | Jamnack | Phillips | Walker |
| Dennis | Johnson, Rick | Plakas | Ward |
| DeRoche | Johnson, Ruth | Pumford | Waters |
| DeRossett | Julian | Richardville | Wenke |
| Drolet | Koetje | Rivet | Whitmer |
| Ehardt | Kolb | Robertson | Williams |
| Elkins | Kooiman | Rocca | Wojno |
| Emmons | LaJoy | Sak | Woodward |
| Farhat | LaSata | Shackleton | Woronchak |
| Farrah | Law | Shaffer | Zelenko |
| Gaffney | Lipsey | Sheen | |

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 5534, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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

The substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. DeRossett moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Richardville 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. 5534, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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

Roll Call No. 465

Yeas—104

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Garfield | McConico | Sheen |
| Acciavatti | Gieleghem | Meisner | Sheltrown |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Smith |
| Bieda | Hager | Milosch | Spade |
| Bisbee | Hardman | Moolenaar | Stahl |
| Bradstreet | Hart | Mortimer | Stakoe |
| Brandenburg | Hood | Murphy | Stallworth |
| Brown | Hoogendyk | Newell | Stewart |
| Byrum | Hopgood | Nitz | Tabor |
| Casperson | Howell | Nofs | Taub |
| Caswell | Huizenga | O'Neil | Tobocman |
| Caul | Hummel | Palsrok | Vagnozzi |
| Cheeks | Hune | Pappageorge | Van Regenmorter |
| Clack | Hunter | Pastor | Vander Veen |
| Condino | Jamnick | Phillips | Voorhees |
| Dennis | Johnson, Rick | Plakas | Walker |
| DeRoche | Johnson, Ruth | Pumford | Ward |
| DeRossett | Julian | Reeves | Waters |
| Drolet | Koetje | Richardville | Wenke |
| Ehardt | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
Rep. Richardville 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. 5782, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2, 7, 8, and 9 (MCL 390.1472, 390.1477, 390.1478, and 390.1479), as amended by 2001 PA 215.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 5782, entitled**

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2, 7, 8, and 9 (MCL 390.1472, 390.1477, 390.1478, and 390.1479), as amended by 2001 PA 215.

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

Roll Call No. 466**Yeas—104**

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Garfield | McConico | Sheen |
| Acciavatti | Gielegem | Meisner | Sheltrown |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Smith |
| Bieda | Hager | Milosch | Spade |
| Bisbee | Hardman | Moolenaar | Stahl |
| Bradstreet | Hart | Mortimer | Stakoe |
| Brandenburg | Hood | Murphy | Stallworth |
| Brown | Hoogendyk | Newell | Stewart |
| Byrum | Hopgood | Nitz | Tabor |
| Casperson | Howell | Nofs | Taub |
| Caswell | Huizenga | O'Neil | Tobocman |
| Caul | Hummel | Palsrok | Vagnozzi |
| Cheeks | Hune | Pappageorge | Van Regenmorter |
| Clack | Hunter | Pastor | Vander Veen |
| Condino | Jamnick | Phillips | Voorhees |
| Dennis | Johnson, Rick | Plakas | Walker |
| DeRoche | Johnson, Ruth | Pumford | Ward |
| DeRossett | Julian | Reeves | Waters |
| Drolet | Koetje | Richardville | Wenke |
| Ehardt | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 5783, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending sections 6, 7, and 8 (MCL 390.1426, 390.1427, and 390.1428); and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 5783, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending sections 6, 7, and 8 (MCL 390.1426, 390.1427, and 390.1428); 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. 467

Yeas—104

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Garfield | McConico | Sheen |
| Acciavatti | Gielegem | Meisner | Sheltrown |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Smith |
| Bieda | Hager | Milosch | Spade |
| Bisbee | Hardman | Moolenaar | Stahl |
| Bradstreet | Hart | Mortimer | Stakoe |
| Brandenburg | Hood | Murphy | Stallworth |
| Brown | Hoogendyk | Newell | Stewart |
| Byrum | Hopgood | Nitz | Tabor |
| Casperson | Howell | Nofs | Taub |
| Caswell | Huizenga | O'Neil | Tobocman |
| Caul | Hummel | Palsrok | Vagnozzi |
| Cheeks | Hune | Pappageorge | Van Regenmorter |
| Clack | Hunter | Pastor | Vander Veen |
| Condino | Jamnick | Phillips | Voorhees |
| Dennis | Johnson, Rick | Plakas | Walker |
| DeRoche | Johnson, Ruth | Pumford | Ward |
| DeRossett | Julian | Reeves | Waters |
| Drolet | Koetje | Richardville | Wenke |
| Ehardt | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

Second Reading of Bills

Senate Bill No. 1063, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Rep. Reeves moved to amend the bill as follows:

1. Amend page 11, line 14, by increasing the amount by “\$248,200” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Reeves demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 468

Yeas—52

| | | | |
|-----------|------------|--------------|------------|
| Accavitti | Gielegghem | Lipsey | Spade |
| Adamini | Gillard | McConico | Stakoe |
| Bieda | Gleason | Meisner | Stallworth |
| Brown | Hardman | Murphy | Stewart |
| Byrum | Hart | O’Neil | Tobocman |
| Cheeks | Hood | Phillips | Vagnozzi |
| Clack | Hopgood | Pumford | Waters |
| Condino | Hune | Reeves | Whitmer |
| Dennis | Hunter | Richardville | Williams |
| DeRossett | Jamnick | Rivet | Wojno |
| Elkins | Julian | Sak | Woodward |
| Farrah | Kolb | Sheltrown | Woronchak |
| Gaffney | Law | Smith | Zelenko |

Nays—49

| | | | |
|-------------|---------------|-------------|-----------------|
| Acciavatti | Hager | Middaugh | Shaffer |
| Amos | Hoogendyk | Milosch | Sheen |
| Bisbee | Howell | Moolenaar | Shulman |
| Bradstreet | Huizenga | Newell | Stahl |
| Brandenburg | Hummel | Nitz | Tabor |
| Casperson | Johnson, Rick | Nofs | Taub |
| Caswell | Johnson, Ruth | Palsrok | Van Regenmorter |
| Caul | Koetje | Pappageorge | Vander Veen |
| DeRoche | Kooiman | Pastor | Voorhees |
| Drolet | LaJoy | Robertson | Walker |

Emmons
Farhat
Garfield

LaSata
Meyer

Rocca
Shackleton

Ward
Wenke

In The Chair: Julian

Rep. Zelenko moved to amend the bill as follows:

1. Amend page 84, line 19, by striking out all of subsection (3).

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

Rep. Zelenko demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 469

Yeas—45

Accavitti
Adamini
Bieda
Brown
Byrum
Cheeks
Clack
Condino
Dennis
Elkins
Farrah
Gielegem

Gillard
Gleason
Hardman
Hart
Hood
Hopgood
Hune
Hunter
Jammick
Kolb
Law

Lipsey
McConico
Meisner
Murphy
O'Neil
Phillips
Plakas
Reeves
Rivet
Sak
Sheltrown

Smith
Spade
Stallworth
Tobocman
Vagnozzi
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—58

Acciavatti
Amos
Bisbee
Bradstreet
Brandenburg
Casperson
Caswell
Caul
DeRoche
DeRossett
Drolet
Emmons
Farhat
Gaffney
Garfield

Hager
Hoogendyk
Howell
Huizenga
Hummel
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kooiman
LaJoy
LaSata
Meyer
Middaugh
Milosch

Moolenaar
Mortimer
Newell
Nitz
Nofs
Palsrok
Pappageorge
Pastor
Pumford
Richardville
Robertson
Rocca
Shackleton
Shaffer

Sheen
Shulman
Stahl
Stakoe
Stewart
Tabor
Taub
Van Regenmorter
Vander Veen
Voorhees
Walker
Ward
Wenke
Woronchak

In The Chair: Julian

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

The motion prevailed.

Rep. Richardville 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. 1063, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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—61

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Hager | Middaugh | Shaffer |
| Amos | Hart | Milosch | Sheen |
| Bisbee | Hoogendyk | Moolenaar | Shulman |
| Bradstreet | Howell | Mortimer | Stahl |
| Brandenburg | Huizenga | Newell | Stakoe |
| Casperson | Hummel | Nitz | Stewart |
| Caswell | Hune | Nofs | Tabor |
| Caul | Johnson, Rick | Palsrok | Taub |
| DeRoche | Johnson, Ruth | Pappageorge | Van Regenmorter |
| DeRossett | Julian | Pastor | Vander Veen |
| Drolet | Koetje | Pumford | Voorhees |
| Ehardt | Kooiman | Richardville | Walker |
| Emmons | LaJoy | Robertson | Ward |
| Farhat | LaSata | Rocca | Wenke |
| Gaffney | Meyer | Shackleton | Woronchak |
| Garfield | | | |

Nays—43

| | | | |
|-----------|----------|-----------|------------|
| Accavitti | Gielegem | McConico | Spade |
| Adamini | Gillard | Meisner | Stallworth |
| Bieda | Gleason | Murphy | Tobocman |
| Brown | Hardman | O'Neil | Vagnozzi |
| Byrum | Hood | Phillips | Waters |
| Cheeks | Hopgood | Plakas | Whitmer |
| Clack | Hunter | Reeves | Williams |
| Condino | Jamnick | Rivet | Wojno |
| Dennis | Kolb | Sak | Woodward |
| Elkins | Law | Sheltrown | Zelenko |
| Farrah | Lipsey | Smith | |

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Phillips, Dennis, Accavitti, Zelenko, Byrum, Hoppood, Vagnozzi, Brown and Law, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘No’ on Senate Bill 1063(H-1) because it balances the state’s budget on the backs of patients. This bill creates winners and losers in the health care arena in Michigan. It slashes health care for more than 40,000 individuals, including 11,000 young adults ages 18-21 who rely on Medicaid for the medical treatment they need. At the same time, this bill holds harmless pharmacies and emergency room physicians from the tough economic conditions of the state’s budget. This bill wrongly prioritizes reimbursement rates above and beyond those of other health care providers over the basic health care needs of more than 40,000 Michigan citizens.

This bill also strips our commitment to the well-being and the quality of life of Michigan’s citizens by cutting the Governor’s recommended prevention programs. When Michigan ranks the third worst among states for its rate of obesity and has been among the ten heaviest states for the past 14 years and there are still more than 16,000 tobacco-related deaths in Michigan each year, Michigan needs to invest in preventative health programs to ensure a healthier population in the future. Every dollar the state spends in prevention will save the state two or more dollars in the future. We cannot afford to continue to ignore the growing, and expensive problem chronic diseases.

Senate Bill 1063 is a short-sighted ‘fix’ in a tough budget year and ignores legislative responsibility for prioritizing the quality of life of Michigan’s citizens and providing a safety net for those that have found themselves in tough times during this economic downturn. The Governor was able to put forward a balanced budget that preserved these priorities, but Senate Bill 1063 is far from providing for the basic health care needs of Michigan citizens.”

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

“Mr. Speaker and members of the House:

I voted ‘No’ on Senate Bill 1063 (H-1] because it balances the state’s budget on the backs of patients. In addition, this bill also strips our commitment to the well-being and the quality of life of Michigan’s citizens by cutting the Governor’s recommended prevention programs. When the state ranks the third worst among states for its rate of obesity and has been among the ten heaviest states for the past 14 years and there are still more than 16,000 tobacco-related deaths in Michigan each year, Michigan needs to invest in preventative health programs to ensure a healthier population in the future. We cannot afford to continue to ignore the growing, and expensive problem chronic diseases. This bill is a short-sighted fix in a tough budget year and ignores legislative responsibility for prioritizing the quality of life of Michigan’s citizens and providing a safety net for those that have found themselves in tough times during this economic downturn. I believe that Governor Granholm did a good job in putting forth a balanced budget that preserved these priorities, but Senate Bill 1063 is far from providing for the basic health care needs of Michigan citizens. Because of these deficiencies, I voted no on Senate Bill 1063.”

Second Reading of Bills

House Bill No. 5801, entitled

A bill to amend 1952 PA 214, entitled “An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; providing for the construction and use of certain buildings; and making an appropriation,” by amending section 12 (MCL 254.322), as amended by 2003 PA 176.

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

The substitute (H-1) was adopted, a majority of the members serving voting therefor.
 Rep. Shackleton moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Richardville moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

Rep. Brown moved that Rep. Whitmer be excused temporarily from today’s session.
 The motion prevailed.

Rep. Wojno moved that Rep. Cheeks be excused temporarily from today’s session.
 The motion prevailed.

Rep. Hunter moved that Rep. Hood 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. 5801, entitled

A bill to amend 1952 PA 214, entitled “An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; providing for the construction and use of certain buildings; and making an appropriation,” by amending section 12 (MCL 254.322), as amended by 2003 PA 176.

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—100

| | | | |
|-------------|-----------|-----------|------------|
| Accavitti | Garfield | McConico | Shaffer |
| Acciavatti | Gielegem | Meisner | Sheen |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Smith |
| Bieda | Hager | Milosch | Spade |
| Bisbee | Hardman | Moolenaar | Stahl |
| Bradstreet | Hart | Mortimer | Stakoe |
| Brandenburg | Hoogendyk | Murphy | Stallworth |
| Brown | Hopgood | Newell | Stewart |
| Byrum | Howell | Nitz | Tabor |
| Casperson | Huizenga | Nofs | Taub |
| Caswell | Hummel | O’Neil | Tobocman |

| | | | |
|-----------|---------------|--------------|-----------------|
| Caul | Hune | Palsrok | Vagnozzi |
| Clack | Hunter | Pappageorge | Van Regenmorter |
| Condino | Jamnack | Pastor | Vander Veen |
| Dennis | Johnson, Rick | Phillips | Voorhees |
| DeRoche | Johnson, Ruth | Plakas | Walker |
| DeRossett | Julian | Pumford | Ward |
| Drolet | Koetje | Reeves | Waters |
| Ehardt | Kolb | Richardville | Wenke |
| Elkins | Kooiman | Rivet | Williams |
| Emmons | LaJoy | Robertson | Wojno |
| Farhat | LaSata | Rocca | Woodward |
| Farrah | Law | Sak | Woronchak |
| Gaffney | Lipsey | Shackleton | Zelenko |

Nays—1

Sheltrown

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 5637, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 9141.

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. Adamini moved to amend the bill as follows:

1. Amend page 2, line 24, after the first “**entity**” by striking out “**is a nonprofit entity that**”.
2. Amend page 2, line 26, after “**cost**” by inserting “**or at a reduced cost**”.

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 3, following line 18, by inserting:

“(vi) **Shall have a trained medical professional or a qualified medical director on staff to perform the ultrasound.**”.

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 4, line 16, after “**to**” by striking out “**avert her death**” and inserting “**preserve the life or health of the mother**”.

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

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

The motion prevailed.

Rep. Richardville 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. 5637, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9141. 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—84

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Garfield | Milosch | Sheen |
| Adamini | Gielegem | Moolenaar | Sheltrown |
| Amos | Gillard | Mortimer | Shulman |
| Bieda | Gleason | Murphy | Spade |
| Bisbee | Hager | Newell | Stahl |
| Bradstreet | Hart | Nitz | Stakoe |
| Brandenburg | Hoogendyk | Nofs | Stewart |
| Brown | Hopgood | O'Neil | Tabor |
| Casperson | Howell | Palsrok | Taub |
| Caswell | Huizenga | Pappageorge | Vagnozzi |
| Caul | Hummel | Pastor | Van Regenmorter |
| Dennis | Hune | Plakas | Vander Veen |
| DeRoche | Johnson, Rick | Pumford | Voorhees |
| DeRossett | Johnson, Ruth | Reeves | Walker |
| Drolet | Julian | Richardville | Ward |
| Ehardt | Koetje | Rivet | Wenke |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Meyer | Shackleton | Woronchak |
| Gaffney | Middaugh | Shaffer | Zelenko |

Nays—19

| | | | |
|-----------|---------|----------|------------|
| Accavitti | Hardman | Lipsev | Stallworth |
| Byrum | Hunter | McConico | Tobocman |
| Cheeks | Jamnick | Meisner | Waters |
| Clack | Kolb | Phillips | Whitmer |
| Condino | Law | Smith | |

In The Chair: Julian

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

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

"Mr. Speaker and members of the House:

I voted No on HB5637 because recent scientific research reports indicate there may be risks associated with the use of ultrasound to a developing fetus. Current usage of ultrasound for 'glamour shots' of developing fetus is engaging in risky behavior. Ultrasound is a medical tool used for high risk pregnancies. Current use is not without ramification

which are not clearly known at this time and to encourage wholesale ultrasound is to invite much larger populations of babies affected.”

Second Reading of Bills

Senate Bill No. 1066, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Pastor moved to amend the bill as follows:

1. Amend page 11, following line 7, by inserting:

“Clean Michigan initiative fund – response activities 800,000”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 5, line 4, by striking out “119,300” and inserting “142,200”.
2. Amend page 5, line 22, by striking out “896,400” and inserting “919,300”.
3. Amend page 16, line 17, by striking out all of section 113.
4. Amend page 24, line 3, by striking out all of section 221 and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Brown,

Rep. Brown demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Brown,

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

Roll Call No. 473

Yeas—46

| | | | |
|------------|----------|-----------|------------|
| Accavitti | Gillard | Meisner | Stallworth |
| Adamini | Gleason | Middaugh | Stewart |
| Bieda | Hardman | Murphy | Tobocman |
| Brown | Hood | O’Neil | Vagnozzi |
| Byrum | Hopgood | Plakas | Waters |
| Cheeks | Hunter | Reeves | Whitmer |
| Clack | Jamnick | Rivet | Williams |
| Condino | Kolb | Sak | Wojno |
| Dennis | LaSata | Sheltrown | Woodward |
| Elkins | Law | Smith | Woronchak |
| Farrah | Lipsey | Spade | Zelenko |
| Gielegthem | McConico | | |

Nays—56

| | | | |
|------------|----------|-----------|------------|
| Acciavatti | Gaffney | Meyer | Shackleton |
| Amos | Garfield | Milosch | Shaffer |
| Bisbee | Hager | Moolenaar | Sheen |

| | | | |
|-------------|---------------|--------------|-----------------|
| Bradstreet | Hoogendyk | Mortimer | Shulman |
| Brandenburg | Howell | Newell | Stahl |
| Casperson | Huizenga | Nitz | Stakoe |
| Caswell | Hummel | Nofs | Tabor |
| Caul | Hune | Palsrok | Taub |
| DeRoche | Johnson, Rick | Pappageorge | Van Regenmorter |
| DeRossett | Johnson, Ruth | Pastor | Vander Veen |
| Drolet | Julian | Pumford | Voorhees |
| Ehardt | Koetje | Richardville | Walker |
| Emmons | Kooiman | Robertson | Ward |
| Farhat | LaJoy | Rocca | Wenke |

In The Chair: Julian

Rep. Middaugh moved that Rep. Woronchak be excused temporarily from today's session.
The motion prevailed.

Rep. Kolb moved to amend the bill as follows:

1. Amend page 24, line 10, by striking out all of section 222.

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

Rep. Kolb demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 474

Yeas—49

| | | | |
|-----------|---------|-----------|------------|
| Accavitti | Gillard | McConico | Smith |
| Adamini | Gleason | Meisner | Spade |
| Bieda | Hardman | Middaugh | Stallworth |
| Brown | Hart | Murphy | Stewart |
| Byrum | Hood | O'Neil | Tobocman |
| Cheeks | Hopgood | Phillips | Vagnozzi |
| Clack | Hunter | Plakas | Waters |
| Condino | Jamnack | Reeves | Whitmer |
| Dennis | Kolb | Rivet | Williams |
| Elkins | LaSata | Rocca | Wojno |
| Farrah | Law | Sak | Woodward |
| Gaffney | Lipsey | Sheltrown | Zelenko |
| Gielegem | | | |

Nays—54

| | | | |
|-------------|-----------|-----------|---------|
| Acciavatti | Garfield | Milosch | Shaffer |
| Amos | Hager | Moolenaar | Sheen |
| Bisbee | Hoogendyk | Mortimer | Shulman |
| Bradstreet | Howell | Newell | Stahl |
| Brandenburg | Huizenga | Nitz | Stakoe |
| Casperson | Hummel | Nofs | Tabor |

| | | | |
|-----------|---------------|--------------|-----------------|
| Caswell | Hune | Palsrok | Taub |
| Caul | Johnson, Rick | Pappageorge | Van Regenmorter |
| DeRoche | Johnson, Ruth | Pastor | Vander Veen |
| DeRossett | Julian | Pumford | Voorhees |
| Drolet | Koetje | Richardville | Walker |
| Ehardt | Kooiman | Robertson | Ward |
| Emmons | LaJoy | Shackleton | Wenke |
| Farhat | Meyer | | |

In The Chair: Julian

Rep. Pastor moved to amend the bill as follows:

1. Amend page 27, line 7, by striking out “shall” and inserting “may”.

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

Rep. Pastor moved to amend the bill as follows:

1. Amend page 27, following line 12, by inserting:

“Sec. 603. The department shall not begin work on any program improvements in the floodplain mapping program until the wetlands mapping effort is completed, pursuant to the natural resources and environmental protection act, 1994 PA 451.”.

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

Rep. Farhat moved to amend the bill as follows:

1. Amend page 10, following line 26, by inserting:

| | |
|----------------------------------|--------|
| “White Lake nutrient study | 36,000 |
| Little Black Creek | 100”. |

2. Amend page 11, line 10, by striking out “2,000,000” and inserting “2,036,100” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 11, following line 15, by inserting:

| | |
|--|---------------|
| “Hazardous waste management - 61.0 FTE positions | \$5,621,500”. |
|--|---------------|

2. Amend page 12, line 4, by striking out “699,200” and inserting “3,828,000”.

3. Amend page 12, line 7, by striking out “2,306,300” and inserting “3,764,100”.

4. Amend page 12, following line 8, by inserting:

| | |
|---|----------|
| “Hazardous material transportation permit fund..... | 94,300”. |
|---|----------|

5. Amend page 12, line 15, by striking out “657,500” and inserting “1,598,300” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Smith moved to amend the bill as follows:

1. Amend page 19, line 10, after “requirement” by striking out “or it may” and inserting “and shall”.

2. Amend page 19, line 11, after “Internet” by striking out “or Intranet”.

The question being on the adoption of the amendments offered by Rep. Smith,

Rep. Smith demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Smith,

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

Roll Call No. 475

Yeas—44

| | | | |
|-----------|------------|----------|------------|
| Accavitti | Gielegghem | Lipsey | Smith |
| Adamini | Gillard | McConico | Spade |
| Bieda | Gleason | Meisner | Stallworth |

| | | | |
|---------|---------|-----------|----------|
| Brown | Hardman | Murphy | Tobocman |
| Byrum | Hood | O'Neil | Vagnozzi |
| Cheeks | Hopgood | Phillips | Waters |
| Clack | Hunter | Plakas | Whitmer |
| Condino | Jamnick | Reeves | Williams |
| Dennis | Kolb | Rivet | Wojno |
| Elkins | LaSata | Sak | Woodward |
| Farrah | Law | Sheltrown | Zelenko |

Nays—59

| | | | |
|-------------|---------------|--------------|-----------------|
| Acciavatti | Garfield | Milosch | Sheen |
| Amos | Hager | Moolenaar | Shulman |
| Bisbee | Hoogendyk | Mortimer | Stahl |
| Bradstreet | Howell | Newell | Stakoe |
| Brandenburg | Huizenga | Nitz | Stewart |
| Casperson | Hummel | Nofs | Tabor |
| Caswell | Hune | Palsrok | Taub |
| Caul | Johnson, Rick | Pappageorge | Van Regenmorter |
| DeRoche | Johnson, Ruth | Pastor | Vander Veen |
| DeRossett | Julian | Pumford | Voorhees |
| Drolet | Koetje | Richardville | Walker |
| Ehardt | Kooiman | Robertson | Ward |
| Emmons | LaJoy | Rocca | Wenke |
| Farhat | Meyer | Shackleton | Woronchak |
| Gaffney | Middaugh | Shaffer | |

In The Chair: Julian

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

Rep. Richardville 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. 1066, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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—60**

| | | | |
|-------------|-----------|-----------|---------|
| Acciavatti | Garfield | Middaugh | Shaffer |
| Amos | Hager | Milosch | Sheen |
| Bisbee | Hart | Moolenaar | Shulman |
| Bradstreet | Hoogendyk | Mortimer | Stahl |
| Brandenburg | Howell | Newell | Stakoe |

| | | | |
|-----------|---------------|--------------|-----------------|
| Casperson | Huizenga | Nitz | Stewart |
| Caswell | Hummel | Nofs | Tabor |
| Caul | Hune | Palsrok | Taub |
| DeRoche | Johnson, Rick | Pappageorge | Van Regenmorter |
| DeRossett | Johnson, Ruth | Pastor | Vander Veen |
| Drolet | Julian | Pumford | Voorhees |
| Ehardt | Koetje | Richardville | Walker |
| Emmons | Kooiman | Robertson | Ward |
| Farhat | LaJoy | Rocca | Wenke |
| Gaffney | Meyer | Shackleton | Woronchak |

Nays—44

| | | | |
|-----------|----------|-----------|------------|
| Accavitti | Gielegem | Lipsey | Smith |
| Adamini | Gillard | McConico | Spade |
| Bieda | Gleason | Meisner | Stallworth |
| Brown | Hardman | Murphy | Tobocman |
| Byrum | Hood | O'Neil | Vagnozzi |
| Cheeks | Hopgood | Phillips | Waters |
| Clack | Hunter | Plakas | Whitmer |
| Condino | Jamnick | Reeves | Williams |
| Dennis | Kolb | Rivet | Wojno |
| Elkins | LaSata | Sak | Woodward |
| Farrah | Law | Sheltrown | Zelenko |

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Accavitti, Dennis and Hopgood, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB 1066, the FY '05 Department of Environmental Quality Budget, because it jeopardizes public health and environmental quality. The budget cuts the general fund contribution to the budget by 43% compared to the current year budget and requires an additional 8% reduction in the department's workforce. These irresponsible actions will force the elimination or severe limitation of several key environmental protection programs, leading to a variety of repercussions including, but not limited to: the potential withdrawal of federal transportation funds due to the department's inability to comply with certain Clean Air Act requirements; elimination of state oversight of the discharge of toxic air pollutants such as mercury; reduced oversight and enforcement related to oil and gas development; elimination of Great Lakes shoreland, critical sand dune protection, and dam safety programs; a dramatic reduction in water pollution permit compliance inspections; elimination of programs to ensure the safe use of radioactive materials; elimination of the department's recycling and composting coordinator and county solid waste planning oversight and assistance programs; and significant delays in environmental cleanup activities. Simply put, I cannot vote for a budget that will place our citizens and natural resources at risk.”

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

“Mr. Speaker and members of the House:

I voted 'No' on Senate Bill 1066, the FY 2005 Department of Environmental Quality Budget, because it jeopardizes public health and environmental quality. The budget cuts the general fund contribution to the budget by 43 percent compared to the current year budget and requires an additional eight percent reduction in the department's workforce.

I believe that these irresponsible actions will force the elimination or severe limitation of several key environmental protection programs, leading to a variety of repercussions including, but not limited to; the potential withdrawal of federal transportation funds due to the department's inability to comply with certain Clean Air Act requirements; elimination of state oversight of the discharge of toxic air pollutants such as mercury; reduced oversight and enforcement related to oil and gas development; elimination of Great Lakes shore land, critical sand dune protection, and dam safety programs; a dramatic reduction in water pollution permit compliance inspections; elimination of programs to ensure the safe use of radioactive materials; elimination of the department's recycling and composting coordinator and county solid waste planning oversight and assistance programs; and significant delays in environmental cleanup activities. Because this budget will place our citizens and natural resources at risk, I could not support it. Thus I voted no on SB 1066."

Second Reading of Bills

House Bill No. 5875, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 623a and 1274 (MCL 380.623a and 380.1274), section 623a as amended by 1990 PA 159 and section 1274 as amended by 1994 PA 416.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 5875, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 623a and 1274 (MCL 380.623a and 380.1274), section 623a as amended by 1990 PA 159 and section 1274 as amended by 1994 PA 416.

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

Roll Call No. 477

Yeas—104

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Garfield | McConico | Sheen |
| Acciavatti | Gielegem | Meisner | Sheltrown |
| Adamini | Gillard | Meyer | Shulman |
| Amos | Gleason | Middaugh | Smith |
| Bieda | Hager | Milosch | Spade |
| Bisbee | Hardman | Moolenaar | Stahl |
| Bradstreet | Hart | Mortimer | Stakoe |
| Brandenburg | Hood | Murphy | Stallworth |
| Brown | Hoogendyk | Newell | Stewart |
| Byrum | Hopgood | Nitz | Tabor |
| Casperson | Howell | Nofs | Taub |
| Caswell | Huizenga | O'Neil | Tobocman |
| Caul | Hummel | Palsrok | Vagnozzi |
| Cheeks | Hune | Pappageorge | Van Regenmorter |
| Clack | Hunter | Pastor | Vander Veen |
| Condino | Jamnick | Phillips | Voorhees |
| Dennis | Johnson, Rick | Plakas | Walker |
| DeRoche | Johnson, Ruth | Pumford | Ward |
| DeRossett | Julian | Reeves | Waters |
| Drolet | Koetje | Richardville | Wenke |
| Ehardt | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |

Emmons
Farhat
Farrah
Gaffney

LaJoy
LaSata
Law
Lipsey

Rocca
Sak
Shackleton
Shaffer

Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
Rep. Richardville 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. 5913, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 263 (MCL 18.1263).

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.

Rep. Kooiman 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. 5913, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 263 (MCL 18.1263).

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—104

Accavitti
Acciavatti
Adamini
Amos
Bieda
Bisbee
Bradstreet
Brandenburg
Brown
Byrum
Casperson
Caswell
Caul
Cheeks
Clack
Condino
Dennis
DeRoche
DeRossett

Garfield
Gielegem
Gillard
Gleason
Hager
Hardman
Hart
Hood
Hoogendyk
Hopgood
Howell
Huizenga
Hummel
Hune
Hunter
Jamnack
Johnson, Rick
Johnson, Ruth
Julian

McConico
Meisner
Meyer
Middaugh
Milosch
Moolenaar
Mortimer
Murphy
Newell
Nitz
Nofs
O’Neil
Palsrok
Pappageorge
Pastor
Phillips
Plakas
Pumford
Reeves

Sheen
Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Stallworth
Stewart
Tabor
Taub
Tobocman
Vagnozzi
Van Regenmorter
Vander Veen
Voorhees
Walker
Ward
Waters

| | | | |
|---------|---------|--------------|-----------|
| Drolet | Koetje | Richardville | Wenke |
| Ehardt | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Kooiman 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

Rep. Richardville moved that Rule 45(c) be suspended.

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

Rep. Rick Johnson moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 1194**.

(For first notice see House Journal No. 52, p. 1219.)

The question being on the motion made by Rep. Rick Johnson,

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5509, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(The bill was received from the Senate on June 2, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 3, see House Journal No. 50, p. 1174.)

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

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

Roll Call No. 479**Yeas—0****Nays—103**

| | | | |
|------------|----------|-----------|-----------|
| Accavitti | Gielegem | Meisner | Sheltrown |
| Acciavatti | Gillard | Meyer | Shulman |
| Adamini | Gleason | Middaugh | Smith |
| Amos | Hager | Milosch | Spade |
| Bieda | Hardman | Moolenaar | Stahl |
| Bisbee | Hart | Mortimer | Stakoe |

| | | | |
|-------------|---------------|--------------|-----------------|
| Bradstreet | Hood | Murphy | Stallworth |
| Brandenburg | Hoogendyk | Newell | Stewart |
| Brown | Hopgood | Nitz | Tabor |
| Byrum | Howell | Nofs | Taub |
| Casperson | Huizenga | O'Neil | Tobocman |
| Caswell | Hummel | Palsrok | Vagnozzi |
| Caul | Hune | Pappageorge | Van Regenmorter |
| Cheeks | Hunter | Pastor | Vander Veen |
| Clack | Jamnack | Phillips | Voorhees |
| Condino | Johnson, Rick | Plakas | Walker |
| Dennis | Johnson, Ruth | Pumford | Ward |
| DeRoche | Julian | Reeves | Waters |
| DeRossett | Koetje | Richardville | Wenke |
| Drolet | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |
| Garfield | McConico | Sheen | |

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5516, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

(The bill was received from the Senate on June 2, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 3, see House Journal No. 50, p. 1174.)

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

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

Roll Call No. 480

Yeas—0

Nays—103

| | | | |
|-------------|-----------|-------------|-----------------|
| Accavitti | Gieleghem | Meisner | Sheltrown |
| Acciavatti | Gillard | Meyer | Shulman |
| Adamini | Gleason | Middaugh | Smith |
| Amos | Hager | Milosch | Spade |
| Bieda | Hardman | Moolenaar | Stahl |
| Bisbee | Hart | Mortimer | Stakoe |
| Bradstreet | Hood | Murphy | Stallworth |
| Brandenburg | Hoogendyk | Newell | Stewart |
| Brown | Hopgood | Nitz | Tabor |
| Byrum | Howell | Nofs | Taub |
| Casperson | Huizenga | O'Neil | Tobocman |
| Caswell | Hummel | Palsrok | Vagnozzi |
| Caul | Hune | Pappageorge | Van Regenmorter |
| Cheeks | Hunter | Pastor | Vander Veen |

| | | | |
|-----------|---------------|--------------|-----------|
| Clack | Jamnick | Phillips | Voorhees |
| Condino | Johnson, Rick | Plakas | Walker |
| Dennis | Johnson, Ruth | Pumford | Ward |
| DeRoche | Julian | Reeves | Waters |
| DeRossett | Koetje | Richardville | Wenke |
| Drolet | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |
| Garfield | McConico | Sheen | |

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5522, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(The bill was received from the Senate on June 2, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 3, see House Journal No. 50, p. 1174.)

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

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

Roll Call No. 481

Yeas—0

Nays—103

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gielegem | Meisner | Sheltrown |
| Acciavatti | Gillard | Meyer | Shulman |
| Adamini | Gleason | Middaugh | Smith |
| Amos | Hager | Milosch | Spade |
| Bieda | Hardman | Moolenaar | Stahl |
| Bisbee | Hart | Mortimer | Stakoe |
| Bradstreet | Hood | Murphy | Stallworth |
| Brandenburg | Hoogendyk | Newell | Stewart |
| Brown | Hopgood | Nitz | Tabor |
| Byrum | Howell | Nofs | Taub |
| Casperson | Huizenga | O'Neil | Tobocman |
| Caswell | Hummel | Palsrok | Vagnozzi |
| Caul | Hune | Pappageorge | Van Regenmorter |
| Cheeks | Hunter | Pastor | Vander Veen |
| Clack | Jamnick | Phillips | Voorhees |
| Condino | Johnson, Rick | Plakas | Walker |
| Dennis | Johnson, Ruth | Pumford | Ward |
| DeRoche | Julian | Reeves | Waters |
| DeRossett | Koetje | Richardville | Wenke |
| Drolet | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |

Farrah
Gaffney
Garfield

Law
Lipsey
McConico

Shackleton
Shaffer
Sheen

Woronchak
Zelenko

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5526, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2005; 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 bill was received from the Senate on June 2, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 3, see House Journal No. 50, p. 1174.)

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

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

Roll Call No. 482

Yeas—0

Nays—103

Accavitti
Acciavatti
Adamini
Amos
Bieda
Bisbee
Bradstreet
Brandenburg
Brown
Byrum
Casperson
Caswell
Caul
Cheeks
Clack
Condino
Dennis
DeRoche
DeRossett
Drolet
Elkins
Emmons
Farhat
Farrah
Gaffney
Garfield

Gieleghem
Gillard
Gleason
Hager
Hardman
Hart
Hood
Hoogendyk
Hopgood
Howell
Huizenga
Hummel
Hune
Hunter
Jamnick
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb
Kooiman
LaJoy
LaSata
Law
Lipsey
McConico

Meisner
Meyer
Middaugh
Milosch
Moolenaar
Mortimer
Murphy
Newell
Nitz
Nofs
O'Neil
Palsrok
Pappageorge
Pastor
Phillips
Plakas
Pumford
Reeves
Richardville
Rivet
Robertson
Rocca
Sak
Shackleton
Shaffer
Sheen

Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Stallworth
Stewart
Tabor
Taub
Tobocman
Vagnozzi
Van Regenmorter
Vander Veen
Voorhees
Walker
Ward
Waters
Wenke
Whitmer
Williams
Wojno
Woodward
Woronchak
Zelenko

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5517, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(The bill was received from the Senate on June 3, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 51, p. 1193.)

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

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

Roll Call No. 483

Yeas—1

Moolenaar

Nays—98

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gieleghem | McConico | Sheen |
| Acciavatti | Gillard | Meisner | Sheltrown |
| Adamini | Gleason | Meyer | Shulman |
| Amos | Hager | Middaugh | Smith |
| Bieda | Hardman | Milosch | Spade |
| Bisbee | Hart | Mortimer | Stakoe |
| Brandenburg | Hood | Murphy | Stallworth |
| Brown | Hoogendyk | Newell | Stewart |
| Byrum | Hopgood | Nitz | Tabor |
| Casperson | Howell | Nofs | Taub |
| Caswell | Huizenga | O'Neil | Tobocman |
| Caul | Hummel | Palsrok | Vagnozzi |
| Cheeks | Hune | Pappageorge | Van Regenmorter |
| Clack | Hunter | Pastor | Vander Veen |
| Condino | Jamnack | Phillips | Voorhees |
| Dennis | Johnson, Rick | Plakas | Walker |
| DeRoche | Johnson, Ruth | Pumford | Ward |
| DeRossett | Julian | Reeves | Waters |
| Drolet | Koetje | Richardville | Wenke |
| Elkins | Kolb | Robertson | Whitmer |
| Emmons | Kooiman | Rocca | Wojno |
| Farhat | LaJoy | Sak | Woodward |
| Farrah | LaSata | Shackleton | Woronchak |
| Gaffney | Law | Shaffer | Zelenko |
| Garfield | Lipsey | | |

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5519, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe

powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 3, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 51, p. 1193.)

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

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

Roll Call No. 484**Yeas—0****Nays—103**

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gielegem | Meisner | Sheltrown |
| Acciavatti | Gillard | Meyer | Shulman |
| Adamini | Gleason | Middaugh | Smith |
| Amos | Hager | Milosch | Spade |
| Bieda | Hardman | Moolenaar | Stahl |
| Bisbee | Hart | Mortimer | Stakoe |
| Bradstreet | Hood | Murphy | Stallworth |
| Brandenburg | Hoogendyk | Newell | Stewart |
| Brown | Hopgood | Nitz | Tabor |
| Byrum | Howell | Nofs | Taub |
| Casperson | Huizenga | O'Neil | Tobocman |
| Caswell | Hummel | Palsrok | Vagnozzi |
| Caul | Hune | Pappageorge | Van Regenmorter |
| Cheeks | Hunter | Pastor | Vander Veen |
| Clack | Jamnack | Phillips | Voorhees |
| Condino | Johnson, Rick | Plakas | Walker |
| Dennis | Johnson, Ruth | Pumford | Ward |
| DeRoche | Julian | Reeves | Waters |
| DeRossett | Koetje | Richardville | Wenke |
| Drolet | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |
| Garfield | McConico | Sheen | |

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5520, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(The bill was received from the Senate on June 3, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 51, p. 1193.)

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

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

Roll Call No. 485**Yeas—1**

Drolet

Nays—102

| | | | |
|-------------|---------------|--------------|-----------------|
| Accavitti | Gillard | Meyer | Sheltrown |
| Acciavatti | Gleason | Middaugh | Shulman |
| Adamini | Hager | Milosch | Smith |
| Amos | Hardman | Moolenaar | Spade |
| Bieda | Hart | Mortimer | Stahl |
| Bisbee | Hood | Murphy | Stakoe |
| Bradstreet | Hoogendyk | Newell | Stallworth |
| Brandenburg | Hopgood | Nitz | Stewart |
| Brown | Howell | Nofs | Tabor |
| Byrum | Huizenga | O'Neil | Taub |
| Casperson | Hummel | Palsrok | Tobocman |
| Caswell | Hune | Pappageorge | Vagnozzi |
| Caul | Hunter | Pastor | Van Regenmorter |
| Cheeks | Jamnick | Phillips | Vander Veen |
| Clack | Johnson, Rick | Plakas | Voorhees |
| Condino | Johnson, Ruth | Pumford | Walker |
| Dennis | Julian | Reeves | Ward |
| DeRoche | Koetje | Richardville | Waters |
| DeRossett | Kolb | Rivet | Wenke |
| Elkins | Kooiman | Robertson | Whitmer |
| Emmons | LaJoy | Rocca | Williams |
| Farhat | LaSata | Sak | Wojno |
| Farrah | Law | Shackleton | Woodward |
| Gaffney | Lipsey | Shaffer | Woronchak |
| Garfield | McConico | Sheen | Zelenko |
| Gielegghem | Meisner | | |

In The Chair: Julian

The Speaker laid before the House

House Bill No. 5521, entitled

A bill to make appropriations for the department of labor and economic growth, the Michigan strategic fund, and certain other state purposes for the fiscal year ending September 30, 2005; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(The bill was received from the Senate on June 3, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 51, p. 1194.)

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

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

Roll Call No. 486**Yeas—0****Nays—103**

| | | | |
|------------|------------|----------|-----------|
| Accavitti | Gielegghem | Meisner | Sheltrown |
| Acciavatti | Gillard | Meyer | Shulman |
| Adamini | Gleason | Middaugh | Smith |

| | | | |
|-------------|---------------|--------------|-----------------|
| Amos | Hager | Milosch | Spade |
| Bieda | Hardman | Moolenaar | Stahl |
| Bisbee | Hart | Mortimer | Stakoe |
| Bradstreet | Hood | Murphy | Stallworth |
| Brandenburg | Hoogendyk | Newell | Stewart |
| Brown | Hopgood | Nitz | Tabor |
| Byrum | Howell | Nofs | Taub |
| Casperson | Huizenga | O'Neil | Tobocman |
| Caswell | Hummel | Palsrok | Vagnozzi |
| Caul | Hune | Pappageorge | Van Regenmorter |
| Cheeks | Hunter | Pastor | Vander Veen |
| Clack | Jamnack | Phillips | Voorhees |
| Condino | Johnson, Rick | Plakas | Walker |
| Dennis | Johnson, Ruth | Pumford | Ward |
| DeRoche | Julian | Reeves | Waters |
| DeRossett | Koetje | Richardville | Wenke |
| Drolet | Kolb | Rivet | Whitmer |
| Elkins | Kooiman | Robertson | Williams |
| Emmons | LaJoy | Rocca | Wojno |
| Farhat | LaSata | Sak | Woodward |
| Farrah | Law | Shackleton | Woronchak |
| Gaffney | Lipsey | Shaffer | Zelenko |
| Garfield | McConico | Sheen | |

In The Chair: Julian

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

THIS RESOLUTION IS OFFERED TO COMPLY WITH SECTION 603 of 2003 PA 193.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 62.

A concurrent resolution to authorize the Department of Corrections to exceed the spending limits established under section 603 of 2003 PA 193 for special maintenance, remodeling, and renovations from existing operational accounts for the fiscal year ending September 30, 2004.

Whereas, The Department of Corrections was authorized operating appropriations for the fiscal year ending September 30, 2004, totaling \$1,705,772,500.00 in 2003 PA 154, as adjusted in Executive Order No. 2003-23 and 2003 PA 237; and

Whereas, The Department of Corrections has requested authorization to spend in excess of \$600,000.00 from existing operational accounts for the purpose of expediting capital renovations at Huron Valley Correctional Facility and Huron Valley Center that will facilitate the relocation of inmate populations and allow for the subsequent closure of Western Wayne Correctional Facility; and

Whereas, The Department of Corrections has estimated that the total cost of these renovations is \$3,000,000.00; and

Whereas, The Department of Corrections must commence these projects immediately in order to ensure renovations are completed by October 1, 2004, to accommodate the relocation of female inmates from Western Wayne Correctional Facility to the Huron Valley Center, and the corresponding transfer of prisoners under psychiatric care from the Huron Valley Center to Huron Valley Correctional Facility; and

Whereas, The Department of Corrections budget for the fiscal year ending September 30, 2005, is predicated on full-year savings from the aforementioned facility closure and consolidations; and

Whereas, Pursuant to section 603 of 2003 PA 193, state agencies may expend not more than \$600,000.00 from their operating budgets for special maintenance, remodeling, additions, or other capital outlay purposes, unless specifically authorized by the Legislature; now therefore, be it

Resolved by the House (the Senate concurring), That the Michigan Legislature recognizes the need to exceed the spending limits established pursuant to section 603 of 2003 PA 193, and hereby authorizes the renovation projects at Huron Valley Correctional Facility and Huron Valley Center to commence immediately at a cost not to exceed \$3,000,000.00, to be paid from existing operational accounts appropriated to the Department of Corrections for the fiscal year ending September 30, 2004; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Corrections, and the Director of the Department of Management and Budget.

Pending the reference of the concurrent resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the concurrent resolution be considered at this time.

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

Pending the Second Reading of

House Bill No. 5949, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending the title and sections 1, 3, 4, 5, 6, 6a, 6b, 6c, 6e, 7, 7a, 7b, 8, 10, and 11 (MCL 722.21, 722.23, 722.24, 722.25, 722.26, 722.26a, 722.26b, 722.26c, 722.26e, 722.27, 722.27a, 722.27b, 722.28, 722.30, and 722.31), the title and sections 7a and 7b as amended by 1996 PA 19, sections 3, 5, and 6 as amended and sections 6c and 6e as added by 1993 PA 259, section 4 as amended by 1998 PA 482, section 6a as added by 1980 PA 434, section 6b as amended by 2000 PA 60, section 7 as amended by 2001 PA 108, section 10 as added by 1996 PA 304, and section 11 as added by 2000 PA 422.

Rep. Richardville moved that the bill be re-referred to the Committee on Judiciary.

The motion prevailed.

Introduction of Bills

Rep. Smith introduced

House Bill No. 5987, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2000 PA 260.

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

Reps. Julian, Garfield and Emmons introduced

House Bill No. 5988, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3111, 3113, 3135, and 3163 (MCL 500.3111, 500.3113, 500.3135, and 500.3163), section 3113 as amended by 1986 PA 93 and sections 3135 and 3163 as amended by 2002 PA 697, and by adding section 3107c.

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

Rep. DeRossett introduced

House Bill No. 5989, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

Rep. Sheen introduced

House Bill No. 5990, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 301 (MCL 168.301), as added by 2003 PA 302.

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

Rep. DeRoche introduced

House Bill No. 5991, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 305 (MCL 168.305), as added by 2003 PA 302.

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

Rep. Ward introduced

House Bill No. 5992, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 309.

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

Rep. Stahl introduced

House Bill No. 5993, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 311 (MCL 168.311), as added by 2003 PA 302.

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

Rep. Ruth Johnson introduced

House Bill No. 5994, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 316.

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

Rep. Huizenga introduced

House Bill No. 5995, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 381 (MCL 168.381), as amended by 2003 PA 302.

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

Rep. Hoogendyk introduced

House Bill No. 5996, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 500f (MCL 168.500f), as amended by 2003 PA 302.

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

Rep. Hart introduced

House Bill No. 5997, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642 (MCL 168.642), as added by 2003 PA 302.

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

Rep. Jamnick introduced

House Bill No. 5998, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 644g (MCL 168.644g), as amended by 2003 PA 302.

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

Rep. Hune introduced

House Bill No. 5999, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 642a (MCL 168.642a), as added by 2003 PA 302.

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

Rep. Accavitti introduced

House Bill No. 6000, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 646a (MCL 168.646a), as amended by 2003 PA 302.

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

Rep. Milosch introduced

House Bill No. 6001, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 659 (MCL 168.659), as added by 2003 PA 302.

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

Rep. Palsrok introduced

House Bill No. 6002, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 699 (MCL 168.699).

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

Rep. Hummel introduced

House Bill No. 6003, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 972 (MCL 168.972), as amended by 2003 PA 302.

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

Rep. Palmer introduced

House Bill No. 6004, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 21 (MCL 78.21), as amended by 2003 PA 304.

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

Rep. Kooiman introduced

House Bill No. 6005, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1 and 5 of chapter II and section 1 of chapter III (MCL 62.1, 62.5, and 63.1), as amended by 2003 PA 305.

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

Reps. Kolb, Jamnick, Dennis and Gielegem introduced

House Bill No. 6006, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 755.

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

Reps. Stakoe, Nofs, Vander Veen, Ward, Stahl, Gaffney, Wenke, Hune and Newell introduced

House Bill No. 6007, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2a to chapter X.

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

Reps. Hager, Hummel, Wenke, Richardville, Vander Veen, Voorhees, Stahl, Kooiman, Emmons, Meyer and Hardman introduced

House Bill No. 6008, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 45 of chapter X (MCL 710.45), as amended by 1996 PA 409.

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

Reps. Hager, Hummel, Wenke, Richardville, Vander Veen, Voorhees, Stahl, Kooiman, Emmons, Meyer and Hardman introduced

House Bill No. 6009, entitled

A bill to amend 1935 PA 220, entitled "An act to provide family home care for children committed to the care of the state, to create the Michigan children's institute under the control of the Michigan social welfare commission, to prescribe the powers and duties thereof, and to provide penalties for violations of certain provisions of this act," by amending section 2 (MCL 400.202) and by adding section 1a.

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

Reps. Hardman, Hager, Vander Veen, Waters, McConico, Stallworth and Reeves introduced

House Bill No. 6010, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 21a, 22, 23a, 23d, 24, 24a, and 60 of chapter X (MCL 710.21a, 710.22, 710.23a, 710.23d, 710.24, 710.24a, and 710.60), section 21a as added by 1982 PA 72, sections 22, 23d, 24, 24a, and 60 as amended by 1996 PA 409, and section 23a as amended by 1994 PA 373.

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

Reps. Wenke, Hoogendyk, Newell, Howell, Ehardt, Hager, Pappageorge, Bisbee, Meyer, Nitz, Garfield, Stakoe, Walker, Middaugh, Huizenga, Hummel, Moolenaar, Pumford, Van Regenmorter, Bradstreet, Nofs, Mortimer, Vander Veen, Shackleton, Shaffer, Casperson, Kooiman, Stewart, Koetje, Julian, Milosch, Sheen, Stahl, Palsrok, Ward, Hune, Taub, Voorhees, DeRoche, Hart, Shulman, Drolet, Emmons, LaJoy, Acciavatti, Tabor, Gaffney, Pastor, Farhat, Brandenburg, Caswell, Robertson, Amos, DeRossett, Rocca, Ruth Johnson, Caul, Woronchak and Richardville introduced

House Bill No. 6011, entitled

A bill to designate February 6 of each year as Ronald Wilson Reagan day in the state of Michigan.

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

Rep. Howell introduced

House Bill No. 6012, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 705, 1021, 2950, 2950h, 2950j, 4319, 5071, 5077, 5078, and 5080 (MCL 600.705, 600.1021, 600.2950, 600.2950h, 600.2950j, 600.4319, 600.5071, 600.5077, 600.5078, and 600.5080), section 1021 as amended by 2002 PA 682, section 2950 as amended by 2001 PA 200, sections 2950h and 2950j as added by 2001 PA 206, section 5071 as added by 2000 PA 419, and sections 5077, 5078, and 5080 as added by 2000 PA 420.

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

Rep. Lipsey introduced

House Bill No. 6013, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 4a, 7b, and 10 (MCL 722.714a, 722.717b, and 722.720), section 4a as amended by 1998 PA 113, section 7b as amended by 1996 PA 308, and section 10 as amended by 2001 PA 109.

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

Rep. Moolenaar introduced

House Bill No. 6014, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5204, 5205, 5208, 5210, and 5215 (MCL 700.5204, 700.5205, 700.5208, 700.5210, and 700.5215), section 5204 as amended by 2000 PA 54 and section 5215 as amended by 2000 PA 469.

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

Rep. Adamini introduced

House Bill No. 6015, entitled

A bill to amend 1971 PA 79, entitled "Age of majority act of 1971," by amending section 2 (MCL 722.52), as amended by 1990 PA 104.

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

Rep. Brandenburg introduced

House Bill No. 6016, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending the title and sections 1, 1a, 1b, 2, and 4 (MCL 552.451, 552.451a, 552.451b, 552.452, and 552.454), the title and section 2 as amended by 2002 PA 574, sections 1 and 1a as amended by 2002 PA 8, section 1b as amended by 1990 PA 237, and section 4 as amended by 1999 PA 158.

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

Reps. Pappageorge, Meisner, O'Neil, Condino, Law, Jamnick, Caul, Howell, Newell, LaSata, Hager, Shackleton, Nitz, Garfield, Ehardt, Gaffney, Stakoe, Brown, Plakas, Lipsey, Julian and Amos introduced

House Bill No. 6017, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

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

Rep. Richardville moved that when the House adjourns today it stand adjourned until Thursday, June 10, at 12:01 a.m. The motion prevailed.

Rep. Hood moved that the House adjourn. The motion prevailed, the time being 11:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 10, at 12:01 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

