

No. 99
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House Chamber, Lansing, Thursday, November 10, 2005.

12:01 a.m.

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

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

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

e/d/s = entered during session

Rep. Barbara Vander Veen, from the 89th District, offered the following invocation:

“PSALM 121

I lift up my eyes to the hills – where does my help come from?
 My help *comes* from the Lord, the maker of heaven and earth
 He will not let your foot slip; He who watches over you will not slumber
 Indeed, He who watches over Israel will neither slumber nor sleep
 The Lord watches over you – the Lord is your shade at your right hand,
 the sun will not harm you by day nor the moon by night
 the Lord will keep you from all harm, He will watch over your life.
 The Lord will watch over your coming and going, both now and forevermore.

Father, as we approach this time of Thanksgiving, we are mindful of the blessings of your help in all of life’s situations.

Thank you that the maker of heaven and earth watches over us. Lord, we have the awesome blessing and responsibility of serving You in this chamber, we are thankful for that too, especially during these long nights.

Forgive us when we are NOT thankful, when we take Your hand in our lives for granted. We ask for YOUR mind, Your solutions, YOUR attitudes in all we do here. We ask You for thankful hearts, for family, friends and health. We are grateful as we head off in many directions in the next two weeks. Thank You for watching over our coming and going both now and forevermore—Amen.”

Rep. Sak moved that Reps. Kehrl and Phillips be excused from today’s session.
 The motion prevailed.

Messages from the Senate

The Speaker laid before the House
House Bill No. 5048, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1951; substitute (H-7) offered and bill postponed temporarily, see House Journal No. 98, p. 2179.)

The question being on the adoption of substitute (H-7) offered previously by Rep. Huizenga,

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Farhat moved to amend the bill as follows:

1. Amend page 14, line 18, after “act.” by striking out the balance of the subsection and inserting “The board shall authorize and issue bonds in a manner that provides that not less than 2 financial institutions or brokerage firms are involved in marketing and underwriting the bonds. Not less than 1 of the 2 financial institutions or brokerage firms described in this subsection shall meet all of the following:

- (a) Be chartered in this state.
- (b) Have 1/3 or more of its branch offices located in this state.
- (c) Have 25% or more of its employees located in this state.”

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 607**Yeas—98**

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

Nays—7

Brandenburg	Gosselin	Meyer	Sheen
Garfield	Hoogendyk	Newell	

In The Chair: Kooiman

The Speaker laid before the House

House Bill No. 5109, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1951.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Huizenga moved to substitute (H-5) the Senate substitute (S-2).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 608**Yeas—104**

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

Nays—1

Gosselin

In The Chair: Kooiman

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

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

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending the title and section 2 (MCL 12.252) and by adding sections 7, 8, 9, and 10; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5047, entitled

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

(The bill was received from the Senate on October 20, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 25, see House Journal No. 90, p. 1970.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Huizenga moved to substitute (H-11) the Senate substitute (S-3).

The motion prevailed and the substitute (H-11) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Dillon moved to amend the bill as follows:

1. Amend page 27, line 23, after “(4)” by inserting “**IF SUFFICIENT QUALIFIED APPLICANTS APPLY,**”.

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 27, line 27, by striking out all of subdivision (B) and inserting:

“(B) **\$50,000,000.00 IN THE 2006-2007 FISCAL YEAR.**

(C) **\$30,000,000.00 IN THE 2007-2008 THROUGH THE 2011-2012 FISCAL YEARS.**”.

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 609

Yeas—92

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

Nays—13

Acciavatti	Garfield	Hune	Sheen
Brandenburg	Gosselin	Moolenaar	Stahl

Drolet
Gaffney

Hoogendyk

Nofs

Ward

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

“Mr. Speaker and members of the House:

IF WE ARE GOING TO SECURITIZE TOBACCO SETTLEMENT DOLLARS, WE SHOULD USE THEM TO GIVE IMMEDIATE TAX RELIEF TO THE WORKING FAMILIES AND BUSINESSES OF MICHIGAN. WE SHOULD NOT TRUST A BOARD OF EXPERTS TO DOLE OUT DOLLARS AND PICK THE WINNERS AND LOSERS OF OVER \$400 MILLION IN SECURITIZED FUNDS.”

The Speaker laid before the House

Senate Bill No. 533, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-6) to the House substitute (H-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1953.)

The question being on concurring in the substitute (S-6) to the House substitute (H-4) made to the bill by the Senate,

Rep. Huizenga moved to substitute (H-5) the Senate substitute (S-6).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-6) to the House substitute (H-4) made to the bill by the Senate,

Rep. Baxter moved to amend the bill as follows:

1. Amend page 3, following line 26, by inserting:

“(xi) **A PREFERENCE FOR PROPOSALS THAT MEET 1 OR MORE OF THE FOLLOWING:**

(A) FORECAST REVENUES WITHIN 2 YEARS.

(B) HAVE OUTSIDE INVESTMENTS FROM INVESTORS WITH EXPERIENCE AND MANAGEMENT TEAMS WITH EXPERIENCE IN THE INDUSTRY TARGETED BY THE PROPOSAL.

(C) HAVE OUTSIDE DIRECTORS WITH EXPERTISE IN THE INDUSTRY TARGETED BY THE PROPOSAL.”

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

The question being on concurring in the substitute (S-6) to the House substitute (H-4) made to the bill by the Senate,

The substitute (S-6), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 610

Yeas—92

Accavitti
Adamini

Donigan
Elsenheimer

Leland
Lemmons, III

Robertson
Rocca

Amos	Emmons	Lemmons, Jr.	Sak
Anderson	Espinoza	Lipse	Schuitmaker
Angerer	Farhat	Marleau	Shaffer
Ball	Farrah	Mayes	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Spade
Bieda	Gonzales	Meyer	Stakoe
Booher	Green	Miller	Steil
Brown	Hansen	Moore	Stewart
Byrnes	Hildenbrand	Mortimer	Taub
Byrum	Hood	Murphy	Tobocman
Casperson	Hopgood	Newell	Vagnozzi
Caswell	Huizenga	Nitz	Van Regenmorter
Caul	Hummel	Palmer	Vander Veen
Cheeks	Jones	Palsrok	Walker
Clack	Kahn	Pastor	Waters
Clemente	Kolb	Pavlov	Wenke
Condino	Kooiman	Pearce	Whitmer
Cushingberry	LaJoy	Plakas	Williams
DeRoche	Law, David	Polidori	Wojno
Dillon	Law, Kathleen	Proos	Zelenko

Nays—13

Acciavatti	Garfield	Hune	Sheen
Brandenburg	Gosselin	Moolenaar	Stahl
Drolet	Hoogendyk	Nofs	Ward
Gaffney			

In The Chair: Kooiman

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

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

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

The motion prevailed.

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5098, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending sections 3, 36, 38e, and 71 (MCL 208.3, 208.36, 208.38e, and 208.71), sections 3 and 71 as amended by 1999 PA 115, section 36 as amended by 1995 PA 284, and section 38e as amended by 2003 PA 273, and by adding section 79.

(The bill was received from the Senate on October 25, with substitute (S-2) and title amendment, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1999.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to substitute (H-7) the Senate substitute (S-2).

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 16, line 15, by striking out all of subdivision (I).

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 8, line 6, after “**WHICH**” by striking out “**SECTIONS 4A AND 35F ARE**” and inserting “**SECTION 4A OR 35F IS**”.

2. Amend page 12, line 10, after “**WHICH**” by striking out “**SECTIONS 4A AND 35F ARE**” and inserting “**SECTION 4A OR 35F IS**”.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Condino moved to amend the bill as follows:

1. Amend page 16, following line 19, by inserting:

“Enacting section 3. Enacting section 1 of 2002 PA 531 is repealed.

Enacting section 4. Enacting section 3 of 1999 PA 115 is repealed.”.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 611

Yeas—37

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Leland	Smith, Alma
Anderson	Dillon	Lipsey	Tobocman
Bennett	Farrah	Mayes	Vagnozzi
Bieda	Gillard	Meisner	Waters
Brown	Gleason	Miller	Whitmer
Byrum	Gonzales	Murphy	Williams
Cheeks	Hood	Plakas	Wojno
Clack	Hopgood	Polidori	Zelenko
Clemente			

Nays—68

Acciavatti	Farhat	Lemmons, III	Robertson
Amos	Gaffney	Lemmons, Jr.	Rocca
Angerer	Garfield	Marleau	Schuitmaker
Ball	Gosselin	McDowell	Shaffer
Baxter	Green	Meyer	Sheen
Booher	Hansen	Moolenaar	Sheltrown
Brandenburg	Hildenbrand	Moore	Spade
Byrnes	Hoogendyk	Mortimer	Stahl
Casperson	Huizenga	Newell	Stakoe
Caswell	Hummel	Nitz	Steil
Caul	Hune	Nofs	Stewart
DeRoche	Jones	Palmer	Taub

Donigan	Kahn	Palsrok	Van Regenmorter
Drolet	Kooiman	Pastor	Vander Veen
Elsenheimer	LaJoy	Pavlov	Walker
Emmons	Law, David	Pearce	Ward
Espinoza	Law, Kathleen	Proos	Wenke

In The Chair: Kooiman

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Clack moved to amend the bill as follows:

1. Amend page 11, following line 6, by inserting:

“SEC. 31A. THE RATE PROVIDED IN SECTION 31(1)(D) SHALL NOT APPLY TO ANY TAXPAYER THAT DOES NOT PAY ANY OF ITS EMPLOYEES AN HOURLY WAGE OF LESS THAN \$7.15 PER HOUR.”.

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

Rep. Clack demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 612

Yeas—48

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Law, Kathleen	Sheltrown
Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lipsey	Spade
Bennett	Espinoza	Mayes	Tobocman
Bieda	Farrah	McDowell	Vagnozzi
Brown	Gillard	Meisner	Waters
Byrnes	Gleason	Miller	Wenke
Byrum	Gonzales	Murphy	Whitmer
Casperson	Hood	Plakas	Williams
Clack	Hopgood	Polidori	Wojno
Clemente	Jones	Rocca	Zelenko

Nays—20

Baxter	Hoogendyk	Moolenaar	Proos
Drolet	Huizenga	Moore	Robertson
Gaffney	Hune	Palmer	Sheen
Garfield	Kooiman	Palsrok	Steil
Hansen	Meyer	Pastor	Walker

In The Chair: Kooiman

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Meisner moved to amend the bill as follows:

1. Amend page 11, following line 6, by inserting:

“SEC. 31A. THE RATE PROVIDED IN SECTION 31(1)(D) SHALL NOT APPLY TO ANY TAXPAYER THAT IS 1 OF THE FOLLOWING:

(A) A BUSINESS ENTERPRISE THAT IS CURRENTLY LOCATED IN THE UNITED STATES FOR THE PURPOSE OF INDUCING THE BUSINESS TO RELOCATE OUTSIDE THE UNITED STATES.

(B) A BUSINESS ENTERPRISE CURRENTLY LOCATED IN THIS STATE FOR THE PURPOSE OF INDUCING THE ENTERPRISE TO RELOCATE OUTSIDE THIS STATE IF THE INCENTIVE OR INDUCEMENT IS LIKELY TO REDUCE THE NUMBER OF EMPLOYEES OF THE BUSINESS ENTERPRISE IN THIS STATE.

(C) A BUSINESS THAT CONTRIBUTES TO THE VIOLATION OF INTERNATIONALLY RECOGNIZED WORKERS RIGHTS, AS DEFINED IN SECTION 507(4) OF THE TRADE ACT OF 1974, 19 USC 2467(4), OF WORKERS IN A COUNTRY OTHER THAN THE UNITED STATES, INCLUDING ANY DESIGNATED ZONE OR AREA IN THAT COUNTRY.

(D) A CORPORATION OR AN AFFILIATE OF THE CORPORATION INCORPORATED IN A TAX HAVEN COUNTRY AFTER SEPTEMBER 11, 2001, BUT WITH THE UNITED STATES AS THE PRINCIPAL MARKET FOR THE PUBLIC TRADING OF THE CORPORATION'S STOCK, AS DETERMINED BY THE STRATEGIC ECONOMIC INVESTMENT BOARD. AS USED IN THIS SECTION, "TAX HAVEN COUNTRY" INCLUDES A COUNTRY WITH TAX LAWS THAT FACILITATE AVOIDANCE BY A CORPORATION OR AN AFFILIATE OF THE CORPORATION OF UNITED STATES TAX OBLIGATIONS, INCLUDING BARBADOS, BERMUDA, BRITISH VIRGIN ISLANDS, CAYMAN ISLANDS, COMMONWEALTH OF THE BAHAMAS, CYPRUS, GIBRALTAR, ISLE OF MAN, THE PRINCIPALITY OF LIECHTENSTEIN, THE PRINCIPALITY OF MONACO, AND THE REPUBLIC OF THE SEYCHELLES."

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

Rep. Meisner demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 613

Yeas—45

Accavitti	Donigan	Leland	Sak
Adamini	Espinoza	Lemmons, III	Sheltrown
Anderson	Farrah	Lemmons, Jr.	Smith, Alma
Angerer	Garfield	Lipsey	Spade
Bennett	Gillard	Mayes	Tobocman
Bieda	Gleason	McDowell	Vagnozzi
Brown	Gonzales	Meisner	Waters
Byrnes	Hood	Miller	Whitmer
Byrum	Hopgood	Murphy	Williams
Clack	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry			

Nays—38

Acciavatti	Green	Marleau	Pearce
Baxter	Hansen	Meyer	Robertson
Booher	Hildenbrand	Moolenaar	Rocca
Brandenburg	Hoogendyk	Moore	Schuitmaker
Casperson	Hummel	Mortimer	Shaffer
Caswell	Hune	Newell	Sheen
Caul	Jones	Nitz	Steil
Drolet	Kahn	Palmer	Taub
Gaffney	Kooiman	Pavlov	Vander Veen
Gosselin	LaJoy		

In The Chair: Kooiman

Rep. Sak moved to reconsider the vote by which the House did not adopt the amendment.
The motion did not prevail, a majority of the members present not voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 614**Yeas—58**

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

Nays—47

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown
Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	Mayer	Vagnozzi
Brown	Gillard	McDowell	Waters
Byrnes	Gleason	Meisner	Whitmer
Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Murphy	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Kolb	Polidori	

In The Chair: Kooiman

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

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

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 9, 22a, and 38e (MCL 208.9, 208.22a, and 208.38e), section 9 as amended by 2004 PA 258, section 22a as amended by 1996 PA 578, and section 38e as amended by 2003 PA 273, and by adding sections 79 and 130.

The motion prevailed.

The House agreed to the title as amended.

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

"Mr. Speaker and members of the House:

I voted "no" on House Bill 5098 because the bill fails in several ways to reflect the agreement reached between Governor Jennifer Granholm and legislative leadership. Without addressing the SBT sunset we are negligently

positioning the state for financial crisis. This is unfortunate, because the residents of this state want and deserve a comprehensive jobs package.”

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

“Mr. Speaker and members of the House:

I voted no because the bill fails in several ways to reflect the agreement between Governor Granholm and Legislative leadership. Without addressing the SBT sunset (which I co-sponsored over 20 years ago to assist our manufacturers) we are negligently positioning the State for a further financial crisis. The residents of this State want and deserve a comprehensive jobs package.

If tax cuts were the solution to the drain of jobs since the 1970’s in our State then the tens of billions of dollars cut should have us leading the world in retention and development of jobs. I regret having gotten us in a unsustainable contest of succumbing to the Whit email of some actors in the business community through so called incentives of tax cuts. We need to concentrate on creating a Civil and Civic literate workforce through adult education and internet/television education free to all in Michigan and allowing the local clerks to purge voting lists to improve the Democratic image of our State. The shift of tax burden from commerce to the residents in Michigan remain unconscionable and this bill would simply shift the burden to the individual taxpayers and families from business.”

The Speaker laid before the House

House Bill No. 4980, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

(The bill was received from the Senate on October 25, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1998.)

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

Rep. Sheen moved to substitute (H-4) the Senate substitute (S-1).

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 7, line 17, by striking out all of subdivision (I).

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

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

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

Roll Call No. 615

Yeas—105

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

The Speaker laid before the House

House Bill No. 5095, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending sections 3, 4, 19, 24, and 31 (MCL 205.3, 205.4, 205.19, 205.24, and 205.31), section 3 as amended by 2003 PA 92, sections 4, 19, and 31 as amended by 2002 PA 657, and section 24 as amended by 2003 PA 201.

(The bill was received from the Senate on October 25, with substitute (S-1), consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1998.)

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

Rep. Sheen moved to substitute (H-3) the Senate substitute (S-1).

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 11, line 26, by striking out all of subdivision (l).

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

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

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

Roll Call No. 616

Yeas—59

Acciavatti	Garfield	Meyer	Schuitmaker
Amos	Gosselin	Moolenaar	Shaffer
Ball	Green	Moore	Sheen
Baxter	Hansen	Mortimer	Stahl

Booher	Hildenbrand	Newell	Stakoe
Brandenburg	Hoogendyk	Nitz	Steil
Casperson	Huizenga	Nofs	Stewart
Caswell	Hummel	Palmer	Taub
Caul	Hune	Palsrok	Tobocman
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney	Marleau	Rocca	

Nays—46

Accavitti	Condino	Law, Kathleen	Polidori
Adamini	Cushingberry	Leland	Sak
Anderson	Dillon	Lemmons, III	Sheltrown
Angerer	Donigan	Lemmons, Jr.	Smith, Alma
Bennett	Espinoza	Lipsey	Spade
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McDowell	Waters
Byrnes	Gleason	Meisner	Whitmer
Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Murphy	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Kolb		

In The Chair: Kooiman

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

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

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 3, 4, 19, and 24 (MCL 205.3, 205.4, 205.19, and 205.24), section 3 as amended by 2003 PA 92, sections 4 and 19 as amended by 2002 PA 657, and section 24 as amended by 2003 PA 201.

The motion prevailed.

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5096, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; and to provide penalties.

(The bill was received from the Senate on October 25, with substitute (S-2), consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1998.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to substitute (H-5) the Senate substitute (S-2).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 6, line 24, by striking out all of subdivision (I).

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 617

Yeas—58

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

Nays—47

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown
Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McDowell	Waters
Byrnes	Gleason	Meisner	Whitmer
Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Murphy	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Kolb	Polidori	

In The Chair: Kooiman

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

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

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5097, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 2005 PA 12, and by adding section 7jj.

(The bill was received from the Senate on October 25, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1998.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to substitute (H-5) the Senate substitute (S-2).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 21, line 6, by striking out all of subdivision (I).

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 618

Yeas—58

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

Nays—47

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown
Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McDowell	Waters
Byrnes	Gleason	Meisner	Whitmer
Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Murphy	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Kolb	Polidori	

In The Chair: Kooiman

The House agreed to the full title of the bill.

The Speaker laid before the House

House Bill No. 5106, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4d (MCL 205.54d), as added by 2004 PA 173.

(The bill was received from the Senate on October 25, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1999.)

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

Rep. Sheen moved to substitute (H-3) the Senate substitute (S-1).

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 4, line 12, by striking out all of subdivision (I).

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 1, line 9, by striking out "**SECTIONS 4A AND**" and inserting "**SECTION 4A OR**".

2. Amend page 1, line 10, after "**208.35F**," by striking out "**ARE**" and inserting "**IS**".

3. Amend page 2, line 7, after "**IF**" by striking out "**SECTIONS 4A AND**" and inserting "**SECTION 4A OR**".

4. Amend page 2, line 8, after "**208.35F**," by striking out "**ARE**" and inserting "**IS**".

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

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

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

Roll Call No. 619

Yeas—58

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

Nays—47

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown
Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipsey	Tobocman
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McDowell	Waters
Byrnes	Gleason	Meisner	Whitmer

Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Murphy	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Kolb	Polidori	

In The Chair: Kooiman

The House agreed to the full title of the bill.

The Speaker laid before the House

House Bill No. 5107, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending sections 3a and 4 (MCL 205.93a and 205.94), as amended by 2004 PA 172, and by adding section 5a.

(The bill was received from the Senate on October 25, with substitute (S-2) and title amendment, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1999.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 15, line 6, by striking out all of subdivision (I).

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Sheen moved to amend the bill as follows:

1. Amend page 6, line 9, by striking out “**SECTIONS 4A AND**” and inserting “**SECTION 4A OR**”.

2. Amend page 6, line 10, after “**208.35F,**” by striking out “**ARE**” and inserting “**IS**”.

3. Amend page 6, line 12, after “**DRIVING**” by striking out the balance of the line through “**ACT**” on line 14 and inserting “**IS EXEMPT FROM THE TAX LEVIED UNDER THIS ACT**”.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 620

Yeas—58

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

Nays—47

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown
Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Spade
Bennett	Espinoza	Lipse	Tobocman
Bieda	Farrah	Mayes	Vagnozzi
Brown	Gillard	McDowell	Waters
Byrnes	Gleason	Meisner	Whitmer
Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Murphy	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Kolb	Polidori	

In The Chair: Kooiman

The question being on agreeing to the title of the bill,
Rep. Ward moved to amend the title to read as follows:

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3a and 4 (MCL 205.93a and 205.94), as amended by 2004 PA 172.

The motion prevailed.

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5108, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 4a, 31, and 36 (MCL 208.4a, 208.31, and 208.36), section 4a as added by 2003 PA 241, section 31 as amended by 1999 PA 115, and section 36 as amended by 1995 PA 284.

(The bill was received from the Senate on October 25, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1999.)

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

Rep. Sheen moved to substitute (H-5) the Senate substitute (S-1).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 15, line 17, by striking out all of subdivision (J).

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

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

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

Roll Call No. 621**Yeas—105**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipse	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltrown

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

Nays—0

In The Chair: Kooiman

The question being on agreeing to the title of the bill,
Rep. Ward moved to amend the title to read as follows:

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending sections 36 and 71 (MCL 208.36 and 208.71), section 36 as amended by 1995 PA 284 and section 71 as amended by 1999 PA 115, and by adding section 35f.

The motion prevailed.

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 4972, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 35d.

(The bill was received from the Senate on October 25, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until October 26, see House Journal No. 91, p. 1998.)

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

Rep. Sheen moved to substitute (H-4) the Senate substitute (S-1).

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 4, line 3, by striking out all of subdivision (l).

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

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

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

Roll Call No. 622

Yeas—104

Accavitti	Drolet	Law, David	Proos
Acciavatti	Elsenheimer	Law, Kathleen	Robertson

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

Nays—1

Smith, Alma

In The Chair: Kooiman

The House agreed to the full title of the bill.

Second Reading of Bills

Senate Bill No. 633, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 31 (MCL 208.31), as amended by 1999 PA 115.

The bill was read a second time.

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 5, line 3, by striking out all of subdivision (I).

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 633, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1999 PA 115.

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

Roll Call No. 623

Yeas—104

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

Nays—1

Smith, Alma

In The Chair: Kooiman

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

"An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,"

The House agreed to the full title.

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

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

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

Rep. Virgil Smith entered the House Chambers.

Quorum Call

Rep. Hildenbrand questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 624

Yeas—102

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

In The Chair: Kooiman

Second Reading of Bills

House Bill No. 4670, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16184.
Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Health Policy,

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

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

The motion prevailed.

House Bill No. 5375, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16185. The bill was read a second time.

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

The motion prevailed.

House Bill No. 4129, entitled

A bill to establish a teachers loan forgiveness program for eligible new teachers in at-risk schools and shortage areas; to establish a teachers loan forgiveness fund and to provide for its administration; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

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

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

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 2, line 6, after "first" by striking out the balance of the subdivision and inserting "applies for a grant under this act."

2. Amend page 3, line 7, after "a" by striking out "state student loan" and inserting "Michigan alternative student loan".

3. Amend page 3, line 15, after "state" by striking out "and" and inserting "or".

4. Amend page 3, line 15, after "programs" by striking out the balance of the subdivision and inserting "applicable to a Michigan alternative student loan."

5. Amend page 3, line 17, by striking out all of subdivision (f).

6. Amend page 4, line 4, after "program" by striking out the balance of the subsection and inserting "applicable to a Michigan alternative student loan."

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

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

The motion prevailed.

House Bill No. 5210, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending section 300 (MCL 16.400).

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

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

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

The motion prevailed.

House Bill No. 5256, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3020 (MCL 500.3020), as amended by 1998 PA 410.

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

The motion prevailed.

House Bill No. 5292, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 7911, 7918, 7921, 7925, 7931, 7941, 7945, 8111, 8124, and 8134 (MCL 500.7911, 500.7918, 500.7921, 500.7925, 500.7931, 500.7941, 500.7945, 500.8111, 500.8124, and 500.8134), sections 7911 and 7921 as amended by 1993 PA 200, section 7918 as amended by 2001 PA 182, sections 7925, 7931, and 7945 as amended by 1980 PA 41, section 7941 as amended by 1990 PA 137, section 8111 as amended by 1992 PA 182, section 8124 as added by 1989 PA 302, and section 8134 as amended by 1998 PA 279, and by adding sections 8124a, 8125a, and 8133a.

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

House Bill No. 4778, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 44520a.

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

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

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

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

Rep. Pastor moved that Rep. Huizenga be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4001, entitled

A bill to establish an undergraduate tuition waiver program for children of certain deceased or disabled members of the armed forces of the United States; to provide for the administration of the tuition waiver program; to prescribe certain powers and duties of certain state officers, agencies, and departments; and to repeal acts and parts of acts.

(The bill was received from the Senate on November 9, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 98, p. 2147.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 625

Yeas—103

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

Byrnes	Hood	Newell	Tobocman
Byrum	Hoogendyk	Nitz	Vagnozzi
Casperson	Hopgood	Nofs	Van Regenmorter
Caul	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Whitmer
Dillon	LaJoy	Polidori	Williams
Donigan	Law, David	Proos	Wojno
Drolet	Law, Kathleen	Robertson	Zelenko
Elsenheimer	Leland	Rocca	

Nays—0

In The Chair: Kooiman

The House agreed to the title as amended.

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

Rep. Huizenga, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 625. Had I been present, I would have voted ‘yea’.”

Rep. Hunter entered the House Chambers.

The Speaker laid before the House

House Bill No. 5091, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 437.

(The bill was received from the Senate on November 9, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 98, p. 2147.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 626

Yeas—105

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4421, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204c (MCL 500.1204c), as amended by 2001 PA 228.

(The bill was received from the Senate on November 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 98, p. 2147.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 627**Yeas—105**

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

Byrnes	Hoogendyk	Murphy	Taub
Byrum	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Clack	Hune	Palmer	Vander Veen
Clemente	Hunter	Palsrok	Walker
Condino	Jones	Pastor	Ward
Cushingberry	Kahn	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Whitmer
Donigan	LaJoy	Polidori	Williams
Drolet	Law, David	Proos	Wojno
Elsenheimer	Law, Kathleen	Robertson	Zelenko
Emmons			

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

Rep. Ward moved that Rep. DeRoche be excused temporarily from today's session.
The motion prevailed.

The Speaker laid before the House

House Bill No. 5215, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1952.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 628

Yeas—104

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5216, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1952.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 629**Yeas—104**

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

Clack	Hune	Palmer	Vander Veen
Clemente	Hunter	Palsrok	Walker
Condino	Jones	Pastor	Ward
Cushingberry	Kahn	Pavlov	Waters
Dillon	Kolb	Pearce	Wenke
Donigan	Kooiman	Plakas	Whitmer
Drolet	LaJoy	Polidori	Williams
Elsenheimer	Law, David	Proos	Wojno
Emmons	Law, Kathleen	Robertson	Zelenko

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

Second Reading of Bills**Senate Bill No. 654, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11a of chapter XVII (MCL 777.11a), as added by 2002 PA 31.

The bill was read a second time.

Rep. Stakoe moved to amend the bill as follows:

1. Amend page 2, line 5, by striking out all of line 5.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 654, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11a of chapter XVII (MCL 777.11a), as added by 2002 PA 31.

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

Roll Call No. 630**Yeas—104**

Accavitti	Espinoza	Leland	Rocca
Acciavatti	Farhat	Lemmons, III	Sak
Adamini	Farrah	Lemmons, Jr.	Schuitmaker
Amos	Gaffney	Lipsey	Shaffer
Anderson	Garfield	Marleau	Sheen
Angerer	Gillard	Mayes	Sheltrown
Ball	Gleason	McDowell	Smith, Alma
Baxter	Gonzales	Meisner	Smith, Virgil
Bennett	Gosselin	Meyer	Spade

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

Nays—0

In The Chair: Kooiman

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Rep. McConico entered the House Chambers.

Quorum Call

Rep. Meyer questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 631**Yeas—103**

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

In The Chair: Kooiman

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

Second Reading of Bills

House Bill No. 4742, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A. Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance,

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

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

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

Rep. Angerer moved to amend the bill as follows:

1. Amend page 7, following line 13, by inserting:

"Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) House Bill No. 4685.

(b) House Bill No. 4140."

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

Rep. Angerer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 632**Yeas—53**

Accavitti	Cushingberry	Kahn	Polidori
Adamini	Dillon	Kolb	Sak
Amos	Donigan	Law, Kathleen	Sheltrown
Anderson	Espinoza	Leland	Smith, Alma
Angerer	Farrah	Lemmons, Jr.	Smith, Virgil
Bennett	Gaffney	Lipsey	Spade
Bieda	Gillard	Mayes	Tobocman
Brandenburg	Gleason	McConico	Vagnozzi
Brown	Gonzales	McDowell	Waters
Byrnes	Green	Meisner	Whitmer
Byrum	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko
Condino			

Nays—52

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

In The Chair: Kooiman

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4742, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House
Senate Bill No. 298, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-2) to the House substitute (H-3) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1952.)

The question being on concurring in the substitute (S-2) to the House substitute (H-3) made to the bill by the Senate,

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

Roll Call No. 633

Yeas—105

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

Nays—0

In The Chair: Kooiman

The Speaker laid before the House
Senate Bill No. 359, entitled

A bill to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan

economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, notes and bonds of the Michigan strategic fund; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of the state; to provide penalties; and to repeal certain acts and parts of acts," (MCL 125.2001 to 125.2093) by adding chapter 7A.

(The bill was received from the Senate on October 19, with substitute (S-2) to the House substitute (H-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1952.)

The question being on concurring in the substitute (S-2) to the House substitute (H-3) made to the bill by the Senate,

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

Roll Call No. 634**Yeas—104**

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

Nays—1

Drolet

In The Chair: Kooiman

The House agreed to the title as amended.

The Speaker laid before the House

Senate Bill No. 521, entitled

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

(The bill was received from the Senate on October 19, with substitute (S-2) to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 20, see House Journal No. 89, p. 1953.)

The question being on concurring in the substitute (S-2) to the House substitute (H-1) made to the bill by the Senate,

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

Roll Call No. 635

Yeas—106

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

Nays—0

In The Chair: Kooiman

House Bill No. 4973, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 45a (MCL 208.45a), as amended by 1999 PA 115.

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

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

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the (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. 636**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

House Bill No. 5098, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 9, 22a, and 38e (MCL 208.9, 208.22a, and 208.38e), section 9 as amended by 2004 PA 258, section 22a as amended by 1996 PA 578, and section 38e as amended by 2003 PA 273, and by adding sections 79 and 130.

The Senate has amended the House substitute (H-7) to the Senate substitute (S-2) as follows:

1. Amend page 8, line 6, after "**SECTION**" by striking out "**4A OR**".
2. Amend page 9, line 6, after "**WHICH**" by striking out "**SECTIONS 4A AND 35F ARE**" and inserting "**SECTION 35F IS**".
3. Amend page 12, line 2, after "**WHICH**" by striking out "**SECTIONS 4A AND 35F ARE**" and inserting "**SECTION 35F IS**".
4. Amend page 12, line 10, after "**SECTION**" by striking out "**4A OR**".
5. Amend page 15, line 4, after "**WHICH**" by striking out "**SECTIONS 4A AND 35F ARE**" and inserting "**SECTION 35F IS**".

The Senate has concurred in the House substitute (H-7) to the Senate substitute (S-2) as amended, ordered that the bill be given immediate effect, agreed to the title as amended and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-7) to the Senate substitute (S-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. 637**Yeas—57**

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

Nays—49

Accavitti	Dillon	Leland	Sak
Adamini	Donigan	Lemmons, III	Sheltrown
Anderson	Espinoza	Lemmons, Jr.	Smith, Alma
Angerer	Farrah	Lipsey	Smith, Virgil
Bennett	Gillard	Mayes	Spade
Bieda	Gleason	McConico	Tobocman
Brown	Gonzales	McDowell	Vagnozzi
Byrnes	Hood	Meisner	Waters
Byrum	Hopgood	Miller	Whitmer
Clack	Hunter	Murphy	Williams
Clemente	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry			

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

House Bill No. 4718, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 78.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the (S-2) made to the bill by the Senate,

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

Roll Call No. 638**Yeas—104**

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

House Bill No. 5050, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1999 PA 140.

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

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

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the (S-2) made to the bill by the Senate,

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

Roll Call No. 639

Yeas—106

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

Nays—0

In The Chair: Kooiman

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

Second Reading of Bills

House Bill No. 4904, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3109a (MCL 500.3109a). 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. Hildenbrand moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

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

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

House Bill No. 4904, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3109a (MCL 500.3109a).
The bill was read a third time.

The question being on the passage of the bill,

Rep. Condino moved to amend the bill as follows:

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

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4323 of the 93rd Legislature is enacted into law."

The question being on the seconding of the motion made by Rep. Condino,
The motion was not seconded.

Rep. Waters moved to reconsider the vote by which the House did not second the motion made by Rep. Condino.

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

Rep. Waters demanded the yeas and nays.

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, by yeas and nays, as follows:

Roll Call No. 640

Yeas—49

Accavitti	Dillon	Leland	Sak
Adamini	Donigan	Lemmons, III	Sheltrown
Anderson	Espinoza	Lemmons, Jr.	Smith, Alma
Angerer	Farrah	Lipsey	Smith, Virgil
Bennett	Gillard	Mayes	Spade
Bieda	Gleason	McConico	Tobocman
Brown	Gonzales	McDowell	Vagnozzi
Byrnes	Hood	Meisner	Waters
Byrum	Hopgood	Miller	Whitmer
Clack	Hunter	Murphy	Williams
Clemente	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry			

Nays—57

Acciavatti	Gosselin	Meyer	Rocca
Amos	Green	Moolenaar	Schuitmaker
Ball	Hansen	Moore	Shaffer
Baxter	Hildenbrand	Mortimer	Sheen
Booher	Hoogendyk	Newell	Stahl
Brandenburg	Huizenga	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
DeRoche	Jones	Palsrok	Taub
Drolet	Kahn	Pastor	Van Regenmorter
Elsenheimer	Kooiman	Pavlov	Vander Veen

Emmons	LaJoy	Pearce	Walker
Farhat	Law, David	Proos	Ward
Gaffney	Marleau	Robertson	Wenke
Garfield			

In The Chair: Kooiman

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. 641

Yeas—57

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

Nays—49

Accavitti	Dillon	Leland	Sak
Adamini	Donigan	Lemmons, III	Sheltrown
Anderson	Espinoza	Lemmons, Jr.	Smith, Alma
Angerer	Farrah	Lipsey	Smith, Virgil
Bennett	Gillard	Mayes	Spade
Bieda	Gleason	McConico	Tobocman
Brown	Gonzales	McDowell	Vagnozzi
Byrnes	Hood	Meisner	Waters
Byrum	Hopgood	Miller	Whitmer
Clack	Hunter	Murphy	Williams
Clemente	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry			

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 4342, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 2003 PA 240; and to repeal acts and parts of acts.

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

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

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

Rep. Ward moved that Rule 45 be suspended.

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

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

Rep. McDowell moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 21, by inserting:

"(I) House Bill No. 4529."

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

Rep. McDowell demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 642

Yeas—49

Accavitti	Dillon	Leland	Sak
Adamini	Donigan	Lemmons, III	Sheltrown
Anderson	Espinoza	Lemmons, Jr.	Smith, Alma
Angerer	Farrah	Lipsey	Smith, Virgil
Bennett	Gillard	Mayes	Spade
Bieda	Gleason	McConico	Tobocman
Brown	Gonzales	McDowell	Vagnozzi
Byrnes	Hood	Meisner	Waters
Byrum	Hopgood	Miller	Whitmer
Clack	Hunter	Murphy	Williams
Clemente	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry			

Nays—57

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

Gaffney
Garfield

Marleau

Robertson

Wenke

In The Chair: Kooiman

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

Rep. Vagnozzi moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 21, by inserting:

“(I) House Bill No. 4157.”.

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

Rep. Vagnozzi demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 643

Yeas—50

Accavitti	Dillon	Lemmons, III	Sheltrown
Adamini	Donigan	Lemmons, Jr.	Smith, Alma
Anderson	Espinoza	Lipsey	Smith, Virgil
Angerer	Farrah	Mayes	Spade
Bennett	Gillard	McConico	Taub
Bieda	Gleason	McDowell	Tobocman
Brown	Gonzales	Meisner	Vagnozzi
Byrnes	Hood	Miller	Waters
Byrum	Hopgood	Murphy	Whitmer
Clack	Hunter	Plakas	Williams
Clemente	Kolb	Polidori	Wojno
Condino	Law, Kathleen	Sak	Zelenko
Cushingberry	Leland		

Nays—56

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

In The Chair: Kooiman

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

Rep. Donigan moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 21, by inserting:

“(I) House Bill No. 5191”.

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

Rep. Donigan demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 644

Yeas—45

Accavitti	Espinoza	Lemmons, Jr.	Smith, Alma
Adamini	Gillard	Lipsey	Smith, Virgil
Anderson	Gleason	McConico	Spade
Bennett	Gonzales	McDowell	Tobocman
Bieda	Hood	Meisner	Vagnozzi
Brandenburg	Hopgood	Miller	Vander Veen
Brown	Hunter	Murphy	Waters
Byrum	Kolb	Plakas	Whitmer
Clack	Law, Kathleen	Polidori	Williams
Condino	Leland	Sak	Wojno
Cushingberry	Lemmons, III	Sheltrown	Zelenko
Donigan			

Nays—61

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

In The Chair: Kooiman

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

Rep. Alma Smith moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 21, by inserting:

“(I) Senate Bill No. 734”.

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

Rep. Alma Smith demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 645**Yeas—50**

Accavitti	Dillon	Lemmons, III	Sak
Adamini	Donigan	Lemmons, Jr.	Sheltrown
Anderson	Espinoza	Lipsey	Smith, Alma
Angerer	Farrah	Mayes	Smith, Virgil
Bennett	Gillard	McConico	Spade
Bieda	Gleason	McDowell	Tobocman
Brown	Gonzales	Meisner	Vagnozzi
Byrnes	Hood	Miller	Waters
Byrum	Hopgood	Murphy	Whitmer
Clack	Hunter	Nofs	Williams
Clemente	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry	Leland		

Nays—56

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

In The Chair: Kooiman

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. 646**Yeas—106**

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

Rep. Kolb moved that Rep. Lipsey be excused temporarily from today's session.
The motion prevailed.

Third Reading of Bills

The House returned to the consideration of

House Bill No. 4742, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A. (The bill was considered earlier today, see today's Journal p. 2212.)

The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed for the day.
The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5106, entitled

A bill to amend 1933 PA 167, entitled "An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations;

to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act," by amending section 4d (MCL 205.54d), as added by 2004 PA 173.

The Senate has amended the House substitute (H-3) to the Senate substitute (S-1) as follows:

1. Amend page 1, line 9, after "**SECTION**" by striking out "**4A OR**".
2. Amend page 1, line 10, after "**MCL**" by striking out "**208.4A AND**".
3. Amend page 2, line 7, after "**SECTION**" by striking out "**4A OR**".
4. Amend page 2, line 8, after "**MCL**" by striking out "**208.4A AND**".

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-1) 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.

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-3) to the Senate substitute (S-1) 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. 647

Yeas—57

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

Nays—48

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, III	Smith, Alma
Angerer	Espinoza	Lemmons, Jr.	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Clack	Hopgood	Murphy	Williams
Clemente	Hunter	Plakas	Wojno
Condino	Kolb	Polidori	Zelenko

In The Chair: Kooiman

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

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

House Bill No. 5107, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending sections 3a and 4 (MCL 205.93a and 205.94), as amended by 2004 PA 172.

The Senate has amended the House substitute (H-4) to the Senate substitute (S-2) as follows:

1. Amend page 3, line 8, after “**IF**” by striking out “**SECTIONS 4A AND**” and inserting “**SECTION**”.
2. Amend page 3, line 9, after “**MCL**” by striking out “**208.4A AND 208.35F ARE**” and inserting “**208.35F, IS**”.
3. Amend page 6, line 9, after “**SECTION**” by striking out “**4A OR**”.
4. Amend page 6, line 10, after “**MCL**” by striking out “**208.4A AND**”.

The Senate has concurred in the House substitute (H-4) to the Senate substitute (S-2) as amended, ordered that the bill be given immediate effect, agreed to the title as amended and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-4) to the Senate substitute (S-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. 648

Yeas—56

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

Nays—49

Accavitti	Dillon	Leland	Sak
Adamini	Donigan	Lemmons, III	Sheltrown
Anderson	Espinoza	Lemmons, Jr.	Smith, Alma
Angerer	Farrar	Mayes	Smith, Virgil
Bennett	Gillard	McConico	Spade
Bieda	Gleason	McDowell	Tobocman
Brown	Gonzales	Meisner	Vagnozzi
Byrnes	Hood	Miller	Waters
Byrum	Hopgood	Murphy	Whitmer
Clack	Hunter	Nofs	Williams
Clemente	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry			

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

House Bill No. 5108, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 36 and 71 (MCL 208.36 and 208.71), section 36 as amended by 1995 PA 284 and section 71 as amended by 1999 PA 115, and by adding section 35f.

The Senate has amended the House substitute (H-5) to the Senate substitute (S-1) as follows:

1. Amend page 5, line 23, after "**WHICH**" by striking out "**SECTIONS 4A AND 35F ARE**" and inserting "**SECTION 35F IS**".

2. Amend page 11, line 27, after "**WHICH**" by striking out "**SECTIONS 4A AND 35F ARE**" and inserting "**SECTION 35F IS**".

3. Amend page 12, line 9, after "**WHICH**" by striking out the balance of the line through "**ARE**" on line 10 and inserting "**SECTION 35F IS**".

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-1) as amended, ordered that the bill be given immediate effect, agreed to the title as amended and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the amendments to the House substitute (H-5) to the Senate substitute (S-1) 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. 649

Yeas—105

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

Nays—0

The House agreed to the full title of the bill.

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

Rep. Lipsey, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 647-649. Had I been present, I would have voted ‘nay’ on Roll Call Nos. 647-648 and ‘yea’ on Roll Call No. 649.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Ward 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.

Rep. Ward moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

Rep. Ward moved that when the House adjourns today it stand adjourned until Tuesday, November 15, at 1:00 p.m. The motion prevailed.

Rep. Ward moved that when the House adjourns Tuesday, November 15 it stand adjourned until Tuesday, November 22, at 1:00 p.m.

The motion prevailed.

Rep. Ward moved that when the House adjourns Tuesday, November 22 it stand adjourned until Tuesday, November 29, at 1:00 p.m.

The motion prevailed.

The Speaker, on behalf of the entire membership, offered the following resolution:

House Resolution No. 155.

A resolution honoring the immense contribution veterans of the U.S. armed services have made for our country and to our quality of life.

Whereas, November 11 is the anniversary of the Armistice which was signed in the Forest of Compiegne by the Allies and the Germans in 1918, ending World War I, after four years of conflict; and

Whereas, Veterans Day emerged from this great outpouring of relief and thanksgiving that marked the end of World War I. Americans wanted to mark the day because it was the war that would make the world safe for democracy - the war to end all wars; and

Whereas, We must never take for granted the unselfish sacrifices our veterans have made to protect the freedom and liberty we enjoy today. Veterans Day gives us a chance to honor the courage of these brave men and women. We have mourned for their pain and loss. We have held our breath waiting for wars to end. We have gratefully welcomed them home. And we have taken pride in their tremendous service; and

Whereas, As we celebrate the great contributions of our military veterans, we are aware that future United States veterans and our current members of the armed forces, are fighting for our way of life right now. In the desert and mountains of Afghanistan, and in the cities of Iraq; and

Whereas, This Legislature has tremendous gratitude and respect for veterans and all of the men and women in uniform who defend our freedom. Through the years, they have never failed to demonstrate courage, sacrifice, and a strong sense of duty. Our great nation could not exist without the sacrifice and service of our veterans, from the Revolutionary War to the present; and

Whereas, Our freedom is a living monument to our veterans. The monument is not confined to the mall in Washington, D.C., or on a plaque at the Michigan Capitol. It stretches from ocean to ocean in this great nation, and must be acknowledged at every dinner table in Michigan, even if it's not November 11; and

Resolved by the House of Representatives, That the members of this legislative body respect and honor U.S. military veterans. May we never lose sight of the fact that the human spirit will not be crushed in America or in any other country as long as we continue to be blessed with such people of courage and honor.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the 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 resolution,

The resolution was adopted.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 10, 2005

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

Absent: Rep. Stakoe

Excused: Rep. Stakoe

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, November 10:

House Bill Nos.	5415	5416	5417	5418	5419														
Senate Bill Nos.	866	867	868	869	870	871	872	873	874	875	876	877	878	879					
	880	881	882																

The Clerk announced that the following Senate bills had been received on Thursday, November 10:

Senate Bill Nos. 448 624 685 686

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4572, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," (MCL 324.101 to 324.90106) by adding section 5204a.

The Senate has concurred in the House amendment to the Senate substitute (S-5).

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

House Bill No. 4573, entitled

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and

provide remedies; and to repeal acts and parts of acts,” by amending section 19708 (MCL 324.19708), as added by 2002 PA 397.

The Senate has concurred in the House amendment to the Senate substitute (S-3).

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

House Bill No. 4972, entitled

A bill to amend 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” (MCL 208.1 to 208.145) by adding section 35d.

The Senate has concurred in the House substitute (H-4) to the Senate substitute (S-1) and ordered that the bill be given immediate effect.

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

House Bill No. 4980, entitled

A bill to amend 1933 PA 167, entitled “An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

The Senate has concurred in the House substitute (H-4) to the Senate substitute (S-1).

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

House Bill No. 5047, entitled

A bill to amend 1984 PA 270, entitled “An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, notes and bonds of the Michigan strategic fund; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of the state; to provide penalties; and to repeal certain acts and parts of acts,” by amending the title and sections 4, 5, 6, 7, and 13 (MCL 125.2004, 125.2005, 125.2006, 125.2007, and 125.2013), sections 4, 5, 6, and 13 as amended by 1987 PA 278, and by adding section 94 and chapter 8A.

The Senate has concurred in the House substitute (H-11) to the Senate substitute (S-3).

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

House Bill No. 5048, entitled

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

The Senate has concurred in the House substitute (H-7) to the Senate substitute (S-2).

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

House Bill No. 5095, entitled

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

provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 3, 4, 19, and 24 (MCL 205.3, 205.4, 205.19, and 205.24), section 3 as amended by 2003 PA 92, sections 4 and 19 as amended by 2002 PA 657, and section 24 as amended by 2003 PA 201.

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-1), ordered that the bill be given immediate effect and agreed to the title as amended.

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

House Bill No. 5096, entitled

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-2), ordered that the bill be given immediate effect and agreed to the title as amended.

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

House Bill No. 5097, entitled

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 34d (MCL 211.34d), as amended by 2005 PA 12, and by adding section 7jj.

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-2) and ordered that the bill be given immediate effect.

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

House Bill No. 5109, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending the title and section 2 (MCL 12.252) and by adding sections 7, 8, 9, and 10; and to repeal acts and parts of acts.

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-2), agreed to the title as amended 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. 5297, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," (MCL 141.1051 to 141.1076) by adding section 16d.

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. 4325, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501), section 17001 as amended by 1990 PA 248 and section 17501 as amended by 1990 PA 247, and by adding sections 17018 and 17518.

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

The Senate has passed the bill as substituted (S-1) 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. 448, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 226, 303d, 410, 810, 859, 871, 1105, 1701, 8321, 8322, 8344, 8507, and 8611 (MCL 600.226, 600.303d, 600.410, 600.810, 600.859, 600.871, 600.1105, 600.1701, 600.8321, 600.8322, 600.8344, 600.8507, and 600.8611), section 226 as amended by 1990 PA 185, section 303d as amended by 2004 PA 448, section 410 as added by 2002 PA 678, sections 859, 1105, and 8611 as amended by 1986 PA 308, section 1701 as amended by 1987 PA 99, section 8322 as amended by 1996 PA 388, section 8344 as amended by 1992 PA 192, and section 8507 as amended by 1994 PA 5, and by adding sections 411 and 8808; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 624, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 80.

The Senate has passed the bill.

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

Senate Bill No. 685, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16y of chapter XVII (MCL 777.16y), as amended by 2000 PA 279.

The Senate has passed the bill.

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

Senate Bill No. 686, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 552c.

The Senate has passed the bill.

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

Messages from the Governor

Date: November 10, 2005

Time: 1:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5149 (Public Act No. 199, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 11701, 11702, and 11715b (MCL 324.11701, 324.11702, and 324.11715b), sections 11701 and 11702 as amended and section 11715b as added by 2004 PA 381.

(Filed with the Secretary of State November 10, 2005, at 1:24 p.m.)

Date: November 10, 2005

Time: 1:17 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4307 (Public Act No. 200, I.E.), being

An act to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(Filed with the Secretary of State November 10, 2005, at 1:26 p.m.)

Date: November 10, 2005
Time: 1:19 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4133 (Public Act No. 201, I.E.), being

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 1831 (MCL 600.1831), as amended by 1984 PA 29.

(Filed with the Secretary of State November 10, 2005, at 1:28 p.m.)

Date: November 10, 2005
Time: 1:21 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5110 (Public Act No. 202, I.E.), being

An act to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending section 1 (MCL 722.111), as amended by 2002 PA 696.

(Filed with the Secretary of State November 10, 2005, at 1:30 p.m.)

Date: November 10, 2005
Time: 1:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4968 (Public Act No. 204, I.E.), being

An act to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” by amending sections 1104, 2301, 2519, 2908, 3715, 3804, 3919, 5202, 5204, 5217, 5301, 5308, 5423, 7401, 7502, and 7508 (MCL 700.1104, 700.2301, 700.2519, 700.2908, 700.3715, 700.3804, 700.3919, 700.5202, 700.5204, 700.5217, 700.5301, 700.5308, 700.5423, 700.7401, 700.7502, and 700.7508), sections 1104, 2519, 5202, 5204, 5301, and 5308 as amended by 2000 PA 54, sections 2301 and 3715 as amended by 2004 PA 314, section 5423 as amended by 2000 PA 469, and section 7508 as amended by 2000 PA 177.

(Filed with the Secretary of State November 10, 2005, at 1:34 p.m.)

Communications from State Officers

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

November 9, 2005

Enclosed is a copy of the following audit report and/or report summary:

Financial audit of the Commercial Mobile Radio Service Emergency Telephone Fund,
Department of Treasury,
for the period October 1, 2002 through September 30, 2004

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

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

Introduction of Bills

Reps. Caswell, Taub, Vander Veen, Huizenga, Tobocman, Hoogendyk, Hildenbrand and Meisner introduced **House Bill No. 5420, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2828 (MCL 333.2828). The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Pavlov, Pastor, Shaffer, Stahl, Jones, Steil, Gaffney, Baxter and Emmons introduced

House Bill No. 5421, entitled

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

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

Reps. Pavlov, Pastor, Shaffer, Stahl, Jones, Steil, Gaffney, Baxter and Emmons introduced

House Bill No. 5422, entitled

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

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

Reps. Byrnes, Hopgood, Clack, Accavitti, Wojno, Miller, Bennett, Whitmer, Gillard, Bieda, Vagnozzi, Leland, Gaffney, Brown, Adamini, Anderson, Williams, Kolb, Angerer, Hune, Stewart, Farrah, Donigan, Green, Polidori, Gonzales, Lemmons, Jr., Alma Smith, Waters, Byrum, Dillon, Jones, Ward and Lemmons, III introduced

House Bill No. 5423, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 32d, 32l, and 37 (MCL 388.1611, 388.1632d, 388.1632l, and 388.1637), sections 11, 32d, and 37 as amended and section 32l as added by 2005 PA 155.

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

Reps. Donigan, Vagnozzi, Farrah, Hopgood, Gillard, Clemente, Angerer, Clack, Kathleen Law, Leland, Mayes, Byrnes, Wojno, Gonzales, Kolb, Lipsey, Alma Smith, Espinoza, McDowell, Bieda, Gleason, Accavitti, Miller, Anderson, Cushingberry, Plakas, Lemmons, Jr., Polidori, Williams, Waters, Bennett, Cheeks and Lemmons, III introduced

House Bill No. 5424, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57m.

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

Reps. Angerer, Hopgood, Polidori, Virgil Smith, Byrnes, Green, Clack, Donigan, Vagnozzi, Miller, Gleason, Espinoza, Bennett, Tobocman, Lipsey, Williams, Alma Smith, Waters, Kathleen Law, Gonzales, Sak, Lemmons, Jr., Kolb, Adamini, Brown, Sheltroun, Gillard, Wojno, Byrum and Lemmons, III introduced

House Bill No. 5425, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 3f.

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

Reps. Elsenheimer, Jones, Gillard, Booher, Sheltroun, Hildenbrand, Pavlov, Green, Hansen and Marleau introduced **House Bill No. 5426, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 683 (MCL 168.683).

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Rep. Casperson introduced

House Bill No. 5427, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63203 (MCL 324.63203), as added by 2004 PA 449.

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

Reps. Gillard, Farrah, Gonzales, Proos, Tobocman, Plakas, Meisner, Dillon, Gleason and Kathleen Law introduced

House Bill No. 5428, entitled

A bill to designate an official bird of this state.

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

Reps. Gillard, Farrah, Gonzales, Proos, Tobocman, Plakas, Meisner, Gleason and Kathleen Law introduced

House Bill No. 5429, entitled

A bill to designate certain official birds of this state.

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

Rep. Stakoe introduced

House Bill No. 5430, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1 to chapter XVI.

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

Rep. Stakoe introduced

House Bill No. 5431, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21529.

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

Reps. Lemmons, III, Lemmons, Jr., Tobocman, Miller, Bennett, Hopgood, Kathleen Law, Clack, Farrah, Murphy, Virgil Smith and Cushingberry introduced

House Bill No. 5432, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1290.

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

Reps. Accavitti, Bieda, Tobocman, Farrah, Vagnozzi, Zelenko and Wojno introduced

House Bill No. 5433, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 617 (MCL 330.1617).

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

Reps. Meisner, Ward, Anderson, Bieda, Hopgood, Kolb, Tobocman, Gleason, Miller, Zelenko, Gonzales and Byrum introduced

House Bill No. 5434, entitled

A bill to encourage colleges and universities to provide education to students on recognizing depression and other mental health disorders and preventing suicide.

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

Rep. Caul moved that the House adjourn.

The motion prevailed, the time being 5:05 p.m.

Associate Speaker Pro Tempore Elsenheimer declared the House adjourned until Tuesday, November 15, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

