

No. 93  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
94th Legislature  
REGULAR SESSION OF 2008

---

---

House Chamber, Lansing, Thursday, December 11, 2008.

12:00 Noon.

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	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—excused	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—excused	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—e/d/s	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—e/d/s	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Dave Hildenbrand, from the 86th District, offered the following invocation:

“Dear Father in Heaven, we pause before You today to ask for Your guidance and direction as we do Your will in this historic chamber. Where there are differences, we ask for compromise, and where there is tension, we ask for peace. Amidst the hustle and pressures of the day, we pause, also, to thank You for the countless blessings in our everyday lives. Continue to watch over us and guide us, as we do the work of the residents of this great state. In Your name we pray, Amen.”

---

Rep. Miller moved that Reps. Meadows and Meisner be excused from today’s session.  
The motion prevailed.

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 516** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 516.**

A resolution of tribute offered as a memorial for Robert Douglas Trezise, former member of the House of Representatives.

Whereas, The members of this legislative body and many others in state government were saddened to learn of the passing of Robert Douglas Trezise, who served his community, our state, and this nation in many capacities throughout his unselfish life. Those who worked with him will always remember him as a model of the highest standards of public service and a man of abundant warmth, wit, and intellect; and

Whereas, A native of the U.P., born in Ironwood and a graduate of Wakefield High School, Doug Trezise, like so many of his generation, went off at a tender age to serve his country during World War II. After his service in Europe with the Signal Corps, he came home to pursue his education at Michigan State University and build a life that centered on his beloved family and doing things for others; and

Whereas, In his adopted hometown of Owosso, Doug Trezise became a leader in numerous civic initiatives, eventually serving in elective posts on the Owosso City Council and the Shiawassee County Board of Supervisors. In 1970, he was elected to the Michigan House of Representatives, where he distinguished himself during his 2 terms as a thoughtful and effective lawmaker, especially in the areas of taxation and local government operations. Following his legislative work, he served our state as Deputy State Treasurer. In this role, as with his wide-ranging duties on various boards, Doug Trezise came to enjoy the trust and respect of people from all political backgrounds as a man of integrity and unselfishness. This example shall long benefit our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Robert Douglas Trezise, a member of this legislative body from 1971 to 1974 and Deputy State Treasurer from 1975 to 1990; and be it further

Resolved, That copies of this resolution be transmitted to the Trezise family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,  
The resolution was adopted by unanimous standing vote.

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 4092, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 520m (MCL 750.520m), as amended by 2003 PA 100.

(The bill was received from the Senate on December 10, 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. 92, p. 2996.)

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. 1053****Yeas—103**

Accavitti	DeRoche	Knollenberg	Proos
Acciavatti	Dillon	LaJoy	Robertson
Agema	Donigan	Law, David	Rocca
Amos	Ebli	Law, Kathleen	Sak
Angerer	Emmons	LeBlanc	Schuitmaker
Ball	Espinoza	Leland	Scott
Bauer	Farrah	Lemmons	Shaffer
Bennett	Gaffney	Lindberg	Sheen
Bieda	Garfield	Marleau	Sheltrown
Booher	Gillard	Mayes	Simpson
Brandenburg	Gonzales	McDowell	Smith, Alma
Brown	Green	Meekhof	Smith, Virgil
Byrnes	Griffin	Melton	Spade
Byrum	Hammel	Meltzer	Stahl
Calley	Hammon	Moolenaar	Stakoe
Casperson	Hansen	Moore	Steil
Caswell	Hildenbrand	Moss	Tobocman
Caul	Hood	Nitz	Vagnozzi
Clack	Hoogendyk	Nofs	Valentine
Clemente	Hopgood	Opsommer	Walker
Condino	Horn	Palmer	Ward
Constan	Huizenga	Palsrok	Warren
Corriveau	Hune	Pastor	Wenke
Coulouris	Johnson	Pavlov	Wojno
Cushingberry	Jones, Rick	Pearce	Young
Dean	Jones, Robert	Polidori	

**Nays—3**

Elsenheimer                      Lahti                      Miller

In The Chair: Sak

Reps. Accavitti, Amos, Angerer, Bauer, Brandenburg, Marleau, Mayes, Moore, Moss, Nitz, Nofs, Pastor, Proos, Scott, Simpson, Stakoe, Tobocman, Ward and Wenke were named co-sponsors of the bill.

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4146, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 134; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2997.)

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. 1054****Yeas—93**

Accavitti	Donigan	LaJoy	Proos
Amos	Ebli	Law, David	Robertson

Angerer	Emmons	Law, Kathleen	Rocca
Ball	Espinoza	LeBlanc	Sak
Bauer	Farrah	Leland	Schuitmaker
Bieda	Gaffney	Lemmons	Scott
Booher	Garfield	Lindberg	Shaffer
Brandenburg	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayes	Simpson
Byrnes	Griffin	McDowell	Smith, Alma
Byrum	Hammel	Melton	Smith, Virgil
Casperson	Hammon	Meltzer	Spade
Caswell	Hansen	Miller	Stahl
Caul	Hildenbrand	Moolenaar	Stakoe
Clack	Hood	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palsrok	Warren
Cushingberry	Jones, Rick	Pastor	Wenke
Dean	Jones, Robert	Pearce	Wojno
DeRoche	Lahti	Polidori	Young
Dillon			

**Nays—13**

Acciavatti	Elsenheimer	Knollenberg	Pavlov
Agema	Green	Meekhof	Sheen
Bennett	Hoogendyk	Palmer	Walker
Calley			

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4730, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

(The bill was received from the Senate on December 10, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2997.)

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

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

**Roll Call No. 1055****Yeas—77**

Accavitti	Dillon	LaJoy	Sak
Amos	Donigan	Law, David	Schuitmaker
Angerer	Ebli	Law, Kathleen	Scott
Ball	Emmons	LeBlanc	Shaffer
Bauer	Espinoza	Leland	Sheltrown

Bieda	Farrah	Lemmons	Simpson
Brown	Gaffney	Lindberg	Smith, Alma
Byrnes	Gillard	Marleau	Smith, Virgil
Byrum	Gonzales	Mayer	Spade
Calley	Green	McDowell	Stakoe
Caswell	Griffin	Melton	Tobocman
Caul	Hammel	Miller	Vagnozzi
Clack	Hammon	Moore	Valentine
Clemente	Hood	Nofs	Walker
Condino	Hopgood	Palsrok	Ward
Constan	Johnson	Polidori	Warren
Corriveau	Jones, Rick	Proos	Wenke
Coulouris	Jones, Robert	Robertson	Wojno
Cushingberry	Lahti	Rocca	Young
Dean			

**Nays—29**

Acciavatti	Garfield	Knollenberg	Palmer
Agema	Hansen	Meekhof	Pastor
Bennett	Hildenbrand	Meltzer	Pavlov
Booher	Hoogendyk	Moolenaar	Pearce
Brandenburg	Horn	Moss	Sheen
Casperson	Huizenga	Nitz	Stahl
DeRoche	Hune	Opsommer	Steil
Elsenheimer			

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4843, entitled**

A bill to amend 2002 PA 733, entitled "State plumbing act," by amending sections 31 and 35 (MCL 338.3541 and 338.3545), section 31 as amended by 2004 PA 268.

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2997.)

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. 1056****Yeas—58**

Accavitti	Cushingberry	Hopgood	Nofs
Angerer	Dean	Johnson	Polidori
Ball	DeRoche	Jones, Robert	Rocca
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Smith, Alma
Bieda	Ebli	LeBlanc	Smith, Virgil
Brown	Espinoza	Leland	Spade
Byrnes	Farrah	Lemmons	Tobocman

Byrum	Gillard	Lindberg	Vagnozzi
Clack	Gonzales	Marleau	Valentine
Clemente	Griffin	Mayes	Warren
Condino	Hammel	McDowell	Wenke
Constan	Hammon	Melton	Wojno
Corriveau	Hansen	Miller	Young
Coulouris	Hood		

**Nays—48**

Acciavatti	Garfield	Meltzer	Robertson
Agema	Green	Moolenaar	Sak
Amos	Hildenbrand	Moore	Schuitmaker
Booher	Hoogendyk	Moss	Shaffer
Brandenburg	Horn	Nitz	Sheen
Calley	Huizenga	Opsommer	Sheltrown
Casperson	Hune	Palmer	Simpson
Caswell	Jones, Rick	Palsrok	Stahl
Caul	Knollenberg	Pastor	Stakoe
Elsenheimer	LaJoy	Pavlov	Steil
Emmons	Law, David	Pearce	Walker
Gaffney	Meekhof	Proos	Ward

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4844, entitled**

A bill to amend 1956 PA 217, entitled “Electrical administrative act,” by amending section 3 (MCL 338.883), as amended by 2004 PA 275.

(The bill was received from the Senate on December 10, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2997.)

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. 1057****Yeas—57**

Accavitti	Cushingberry	Hopgood	Nofs
Angerer	Dean	Johnson	Polidori
Ball	Dillon	Jones, Robert	Rocca
Bauer	Donigan	Lahti	Scott
Bennett	Ebli	Law, Kathleen	Smith, Alma
Bieda	Espinoza	LeBlanc	Smith, Virgil
Brown	Farrah	Leland	Spade
Byrnes	Gaffney	Lemmons	Tobocman
Byrum	Gillard	Lindberg	Vagnozzi
Clack	Gonzales	Marleau	Valentine
Clemente	Griffin	Mayes	Warren
Condino	Hammel	McDowell	Wenke

Constan  
Corriveau  
Coulouris

Hammon  
Hood

Melton  
Miller

Wojno  
Young

### Nays—48

Acciavatti  
Agema  
Amos  
Booher  
Brandenburg  
Calley  
Casperson  
Caswell  
Caul  
DeRoche  
Elsenheimer  
Emmons

Garfield  
Green  
Hansen  
Hildenbrand  
Hoogendyk  
Horn  
Huizenga  
Hune  
Jones, Rick  
Knollenberg  
LaJoy  
Law, David

Meekhof  
Meltzer  
Moolenaar  
Moore  
Moss  
Nitz  
Opsommer  
Palmer  
Palsrok  
Pastor  
Pavlov  
Pearce

Proos  
Robertson  
Sak  
Schuitmaker  
Shaffer  
Sheltrown  
Simpson  
Stahl  
Stakoe  
Steil  
Walker  
Ward

In The Chair: Sak

The House agreed to the title as amended.

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

The Speaker laid before the House

#### **House Bill No. 4846, entitled**

A bill to amend 1984 PA 192, entitled “Forbes mechanical contractors act,” by amending section 10 (MCL 338.980), as amended by 2004 PA 271.

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2997.)

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. 1058

### Yeas—57

Accavitti  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Brown  
Byrnes  
Byrum  
Clack  
Clemente  
Condino  
Constan  
Corriveau  
Coulouris

Cushingberry  
Dean  
Dillon  
Donigan  
Ebli  
Espinoza  
Farrah  
Gaffney  
Gillard  
Gonzales  
Griffin  
Hammel  
Hammon  
Hood

Hopgood  
Johnson  
Jones, Robert  
Lahti  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Melton  
Miller

Nofs  
Polidori  
Rocca  
Scott  
Smith, Alma  
Smith, Virgil  
Spade  
Tobocman  
Vagnozzi  
Valentine  
Warren  
Wenke  
Wojno  
Young

**Nays—49**

Acciavatti	Green	Meltzer	Robertson
Agema	Hansen	Moolenaar	Sak
Amos	Hildenbrand	Moore	Schuitmaker
Booher	Hoogendyk	Moss	Shaffer
Brandenburg	Horn	Nitz	Sheen
Calley	Huizenga	Opsommer	Sheltrown
Casperson	Hune	Palmer	Simpson
Caswell	Jones, Rick	Palsrok	Stahl
Caul	Knollenberg	Pastor	Stakoe
DeRoche	LaJoy	Pavlov	Steil
Elsenheimer	Law, David	Pearce	Walker
Emmons	Meekhof	Proos	Ward
Garfield			

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 4848, entitled**

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 13 (MCL 338.2313).

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2998.)

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. 1059****Yeas—58**

Accavitti	Cushingberry	Johnson	Nofs
Angerer	Dean	Jones, Rick	Polidori
Ball	Dillon	Jones, Robert	Rocca
Bauer	Donigan	Lahti	Scott
Bennett	Ebli	Law, Kathleen	Smith, Alma
Bieda	Espinoza	LeBlanc	Smith, Virgil
Brown	Farrah	Leland	Spade
Byrnes	Gaffney	Lemmons	Tobocman
Byrum	Gillard	Lindberg	Vagnozzi
Clack	Gonzales	Marleau	Valentine
Clemente	Griffin	Mayer	Warren
Condino	Hammel	McDowell	Wenke
Constan	Hammon	Melton	Wojno
Corriveau	Hood	Miller	Young
Coulouris	Hopgood		

**Nays—48**

Acciavatti	Garfield	Meltzer	Robertson
Agema	Green	Moolenaar	Sak



Amos	Hansen	Moore	Schuitmaker
Booher	Hildenbrand	Moss	Shaffer
Brandenburg	Hoogendyk	Nitz	Sheen
Calley	Horn	Opsommer	Sheltrown
Casperson	Huizenga	Palmer	Simpson
Caswell	Hune	Palsrok	Stahl
Caul	Knollenberg	Pastor	Stakoe
DeRoche	LaJoy	Pavlov	Steil
Elsenheimer	Law, David	Pearce	Walker
Emmons	Meekhof	Proos	Ward

In The Chair: Sak

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5341, entitled**

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” (MCL 125.1501 to 125.1531) by adding section 4e.

(The bill was received from the Senate on December 10, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2998.)

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. 1060**

**Yeas—81**

Accavitti	Donigan	Jones, Robert	Robertson
Angerer	Ebli	Lahti	Rocca
Ball	Elsenheimer	LaJoy	Sak
Bauer	Emmons	Law, David	Schuitmaker
Bieda	Espinoza	Law, Kathleen	Scott
Booher	Farrah	LeBlanc	Shaffer
Brown	Gaffney	Leland	Sheltrown
Byrnes	Gillard	Lemmons	Simpson
Byrum	Gonzales	Lindberg	Smith, Alma
Calley	Green	Mayes	Smith, Virgil
Caswell	Griffin	McDowell	Spade
Caul	Hammel	Melton	Stakoe
Clack	Hammon	Meltzer	Tobocman
Clemente	Hansen	Miller	Vagnozzi
Condino	Hildenbrand	Moolenaar	Valentine
Constan	Hood	Moore	Walker
Corriveau	Hopgood	Nofs	Warren
Coulouris	Horn	Palsrok	Wenke
Cushingberry	Johnson	Polidori	Wojno
Dean	Jones, Rick	Proos	Young
Dillon			

**Nays—25**

Acciavatti	Garfield	Meekhof	Pavlov
Agema	Hoogendyk	Moss	Pearce

Amos	Huizenga	Nitz	Sheen
Bennett	Hune	Opsommer	Stahl
Brandenburg	Knollenberg	Palmer	Steil
Casperson	Marleau	Pastor	Ward
DeRoche			

In The Chair: Sak

The House agreed to the title as amended.

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

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

The Speaker laid before the House

**House Bill No. 5534, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), section 248 as amended by 1991 PA 145.

(The bill was received from the Senate on December 10, 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. 92, p. 2998.)

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. 1061**

**Yeas—106**

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Donigan	LaJoy	Proos
Agema	Ebli	Law, David	Robertson
Amos	Elsenheimer	Law, Kathleen	Rocca
Angerer	Emmons	LeBlanc	Sak
Ball	Espinoza	Leland	Schuitmaker
Bauer	Farrah	Lemmons	Scott
Bennett	Gaffney	Lindberg	Shaffer
Bieda	Garfield	Marleau	Sheen
Booher	Gillard	Mayes	Sheltrown
Brandenburg	Gonzales	McDowell	Simpson
Brown	Green	Meekhof	Smith, Alma
Byrnes	Griffin	Melton	Smith, Virgil
Byrum	Hammel	Meltzer	Spade
Calley	Hammon	Miller	Stahl
Casperson	Hansen	Moolenaar	Stakoe
Caswell	Hildenbrand	Moore	Steil
Caul	Hood	Moss	Tobocman
Clack	Hoogendyk	Nitz	Vagnozzi
Clemente	Hopgood	Nofs	Valentine
Condino	Horn	Opsommer	Walker
Constan	Huizenga	Palmer	Ward
Corriveau	Hune	Palsrok	Warren
Coulouris	Johnson	Pastor	Wenke
Cushingberry	Jones, Rick	Pavlov	Wojno

Dean  
DeRoche

Jones, Robert  
Knollenberg

Pearce

Young

**Nays—0**

In The Chair: Byrnes

The House agreed to the full title.

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

---

Rep. Jackson entered the House Chambers.

**Comments and Recommendations**

Rep. Angerer moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Robertson:

“The best kind of job anyone can ever have is one they enjoy so much it doesn’t even seem like work. That’s how I feel about serving in the Legislature. I love it, and it has been an honor to serve the Great State of Michigan in the House.

Having first taken the oath of office in the House 18 years ago, a significant chapter of my life is coming to an end.

I want to use my last words in this Chamber to thank those who have brought me to this moment.

In the summer of 1957, in the small town of Stonehaven, Scotland, my father asked my mother two questions in rapid-fire succession which she answered in rapid-fire succession –

He said, ‘Anne will you marry me?’ And she said ‘Yes!’

And he said, ‘Will you come to America with me?’ And she said, ‘YES!’

The questions were asked and answered just as quickly.

I am thankful each and every day for the courageous decision they made. For in doing so they guaranteed to me, my sister, and brothers the two greatest gifts parents can give a child –

Life and American citizenship.

So my first thanks must be to my parents.

Like our Founding Fathers, my parents wanted their children to be Citizens and not Subjects.

My mother did not live long enough to see her eldest son in to adulthood, but I believe that she would be pleased at the man I have become.

Next, I want to thank my staff. All of whom have served me so well.

Thank you to Randall Thompson for his consummate professionalism, wise counsel, and his good humor.

Thank you to Benjamin Frederick for allowing me to play a part in his maturation from a lanky teenager to Honorable Manhood.

Thank you to Erika Farley for her intelligence, organizational skills, and for always providing the vitally necessary perspective in my office each and every day.

Thank you to Jonathan Farley for his fierce loyalty and devotion and encouragement. Thank you most of all for having a passion for both politics and policy which is equal to my own.

Thank you to Michael Telliga who did excellent work for me for four summers while in college and who worked himself to exhaustion and beyond for the GOP this past year.

I would also like to thank my part-time help for all they have done including Erika Anderson, Lindsay Stranc, Emmet Thalman, James Joseph, Mike Van Wysberg, Tammy Allen, Lena Runestad, and Steve Schumacher.

For a middle aged man like myself with no children of my own they are like sons and daughters to me.

I want to take a moment to thank all of my colleagues both present and past and the entire Capitol community for the kindness you all showed to my sister Lesley Daunt and brother-in-law Steve Daunt, my nephew Jacob and my niece

Emily, at a most tragic moment, just four years ago, as mourned the death of my niece Anne Marie in an automobile accident in September of 2004.

There can be no more tragic loss than the death of a child.

Your kindness then and to the present day is deeply appreciated.

I also want to take a moment to remember a dear friend and mentor – a late member of this House and of the Senate who passed away at a very young age, and who I miss very much – the late Rep. and Senator Douglas Carl of Macomb County.

Just as Doug mentored me in my youth, so I have tried to keep his memory alive in the mentoring I have done of others. Doug taught me everything I know about public service – and how to win on Election Day.

Though my heart and my home is in Genesee County – with the deference of my Macomb County colleagues, I will always consider myself a proud step-son of 1980's Macomb County politics.

Shortly after the 2006 election a very well-meaning member of my staff suggested I concern myself with my 'legacy' legislation heading into my final term.

Seizing the opportunity for a mentoring moment, I replied that thinking in such term was misplaced.

The best chance for securing any kind of legacy is to not concern yourself with it.

This State and Nation is so much greater than any one of us that to think in such terms is folly.

My only desire is that for my constituents, state government worked a little bit better for them during my time here than it otherwise would have had I not been around.

If I am remembered at all I hope it is for this.

To my friends – The Democrats:

I have nothing but admiration for you.

It takes a good political party to win elections when they are right on the issues – and the Republican Party is a good political party.

It takes a great political party to win when they are wrong on the issues – and the Democratic Party is truly a great political party.

Your ability to turn your own public policy disasters in to smashing electoral victories is a political sleight of hand that would make Harry Houdini proud.

Of course, we Republicans have occasionally given you an assist, with some Keystone Kop moments of our own.

Since I first started running for office some 20 years ago, I have repeatedly been asked some variation of the following question –

How can you get elected as or be a Republican in Flint, Michigan?

My response has always been the same –

Nowhere is a conservative Republican viewpoint more desperately needed than in Flint and Genesee County Michigan.

I look forward to offering this viewpoint for many more years to come.

Serving in this House has been a true honor and privilege for which I will always be grateful. I want to thank the very good people of southern Genesee County – the communities of Grand Blanc, Goodrich, Fenton, Linden, Atlas Twp., Argentine, and Mundy Twp. for granting me the opportunity to serve. Every member of this House who stands for election and is called to serve understands the unique bond we all feel for the people of our districts.

As everyone knows I am a man who wears my heart on my sleeve, leaving the House is an emotional moment for me.

Yet, I could not be happier. My last two years here will always be the most special since it is during this time I met, courted, fell in love with, and married my wife Teri.

I bless the day she came in to my life!

Some of my colleagues are aware of my love of classic motion pictures.

One of my favorite is *Yankee Doodle Dandy* and James Cagney's Academy Award winning performance as George M. Cohan.

You will remember that Cohan, along with his parents and sister, as a member of *The Four Cohan's* revolutionized the American musical theatre in the early 1900's. George N. Cohan is best remembered for his composition of *Grand Old Flag* and *Over There*. He was awarded a Congressional Medal of Honor for his contributions to the American Spirit by Franklin Roosevelt.

Thought I lack Jimmy Cagney's ability to dance down the Capitol steps – as he did the White House staircase – I will borrow my final farewell from *Yankee Doodle Dandy*.

Long after his family member retired and George M. Cohan became a solo act he would thank his audience and bid farewell after every performance in the same way.

He said:

My mother thanks you

My father thanks you

My sister thanks you

And I assure you I thank you."

Rep. Cheeks entered the House Chambers.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5678, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2998.)

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. 1062**

**Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Scott
Bieda	Gaffney	Lemmons	Shaffer
Booher	Garfield	Lindberg	Sheen
Brandenburg	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayes	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Melton	Spade
Casperson	Hammon	Meltzer	Stahl
Caswell	Hansen	Miller	Stakoe
Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Vagnozzi
Clemente	Hopgood	Nitz	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Opsommer	Ward
Corriveau	Hune	Palmer	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

**Nays—0**

In The Chair: Byrnes

The House agreed to the full title.

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

The Speaker laid before the House

**House Bill No. 5910, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7j (MCL 722.627j), as amended by 2004 PA 563.

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2998.)

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. 1063**

**Yeas—88**

Accavitti	Dean	Jones, Robert	Polidori
Amos	Dillon	Lahti	Proos
Angerer	Donigan	LaJoy	Rocca
Ball	Ebli	Law, David	Sak
Bauer	Emmons	Law, Kathleen	Schuitmaker
Bennett	Espinoza	LeBlanc	Scott
Bieda	Farrah	Leland	Shaffer
Brandenburg	Gaffney	Lemmons	Sheltrown
Brown	Gillard	Lindberg	Simpson
Byrnes	Gonzales	Marleau	Smith, Alma
Byrum	Green	Mayer	Smith, Virgil
Casperson	Griffin	McDowell	Spade
Caswell	Hammel	Melton	Stakoe
Caul	Hammon	Meltzer	Tobocman
Cheeks	Hansen	Miller	Vagnozzi
Clack	Hildenbrand	Moolenaar	Valentine
Clemente	Hood	Moore	Walker
Condino	Hopgood	Moss	Ward
Constan	Horn	Nitz	Warren
Corriveau	Jackson	Nofs	Wenke
Coulouris	Johnson	Opsommer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young

**Nays—20**

Acciavatti	Elsenheimer	Knollenberg	Pearce
Agema	Garfield	Meekhof	Robertson
Booher	Hoogendyk	Palmer	Sheen
Calley	Huizenga	Pastor	Stahl
DeRoche	Hune	Pavlov	Steil

In The Chair: Byrnes

The House agreed to the full title.

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

---

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

The Speaker laid before the House

**House Bill No. 5992, entitled**

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 3119 (MCL 289.3119), as amended by 2007 PA 113.

(The bill was received from the Senate on December 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 92, p. 2999.)

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. 1064**

**Yeas—107**

Accavitti	Dillon	Knollenberg	Polidori
Acciavatti	Donigan	Lahti	Proos
Agema	Ebli	LaJoy	Robertson
Amos	Elsenheimer	Law, David	Rocca
Angerer	Emmons	Law, Kathleen	Sak
Ball	Espinoza	LeBlanc	Schuitmaker
Bauer	Farrah	Leland	Scott
Bennett	Gaffney	Lemmons	Shaffer
Bieda	Garfield	Lindberg	Sheen
Booher	Gillard	Marleau	Sheltrown
Brandenburg	Gonzales	Mayes	Simpson
Brown	Green	McDowell	Smith, Alma
Byrnes	Griffin	Meekhof	Smith, Virgil
Byrum	Hammel	Melton	Spade
Calley	Hammon	Meltzer	Stahl
Casperson	Hansen	Miller	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Vagnozzi
Clack	Hopgood	Nitz	Valentine
Clemente	Horn	Nofs	Walker
Condino	Huizenga	Opsommer	Ward
Constan	Hune	Palmer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young
Dean	Jones, Robert	Pearce	

**Nays—0**

In The Chair: Byrnes

The House agreed to the full title.

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

Rep. Hansen moved that Rep. Opsommer be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 6070, entitled**

A bill to amend 1986 PA 32, entitled "Emergency 9-1-1 service enabling act," by amending sections 401a, 401b, 413, and 717 (MCL 484.1401a, 484.1401b, 484.1413, and 484.1717), sections 401a and 401b as added by 2007 PA 164 and sections 413 and 717 as amended by 2007 PA 165, and by adding section 412a.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

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

**Roll Call No. 1065****Yeas—100**

Accavitti	Dean	Jones, Robert	Polidori
Acciavatti	Dillon	Knollenberg	Proos
Agema	Donigan	Lahti	Robertson
Amos	Ebli	LaJoy	Rocca
Angerer	Elsenheimer	Law, David	Schuitmaker
Ball	Emmons	Law, Kathleen	Scott
Bauer	Espinoza	Leland	Shaffer
Bennett	Farrah	Lemmons	Sheen
Bieda	Gaffney	Lindberg	Sheltrown
Booher	Garfield	Marleau	Simpson
Brandenburg	Gonzales	Mayer	Smith, Alma
Brown	Green	McDowell	Smith, Virgil
Byrnes	Griffin	Meekhof	Spade
Byrum	Hammel	Melton	Stahl
Calley	Hammon	Meltzer	Stakoe
Casperson	Hansen	Miller	Steil
Caswell	Hildenbrand	Moolenaar	Tobocman
Caul	Hood	Moore	Vagnozzi
Cheeks	Hoogendyk	Moss	Valentine
Clack	Hopgood	Nitz	Walker
Clemente	Horn	Nofs	Ward
Condino	Huizenga	Palsrok	Warren
Constan	Jackson	Pastor	Wenke
Corriveau	Johnson	Pavlov	Wojno
Coulouris	Jones, Rick	Pearce	Young

**Nays—6**

Cushingberry	Hune	Palmer	Sak
Gillard	LeBlanc		

In The Chair: Byrnes

The House agreed to the full title.

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



### Second Reading of Bills

#### Senate Bill No. 1376, 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 2 (MCL 207.552), as amended by 2007 PA 146.

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

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

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

The motion prevailed.

—————  
The Speaker Pro Tempore resumed the Chair.

#### House Bill No. 6025, entitled

A bill to establish the united way fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 6025, entitled

A bill to establish the united way fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

#### Roll Call No. 1066

#### Yeas—103

Accavitti	DeRoche	Lahti	Proos
Acciavatti	Dillon	LaJoy	Robertson
Amos	Donigan	Law, David	Rocca
Angerer	Ebli	Law, Kathleen	Sak
Ball	Elsenheimer	LeBlanc	Schuitmaker
Bauer	Emmons	Leland	Scott
Bennett	Espinoza	Lemmons	Shaffer
Bieda	Farrah	Lindberg	Sheen
Booher	Gaffney	Marleau	Sheltrown
Brandenburg	Gillard	Mayer	Simpson
Brown	Gonzales	McDowell	Smith, Alma
Byrnes	Green	Meekhof	Smith, Virgil
Byrum	Griffin	Melton	Spade
Calley	Hammel	Meltzer	Stahl

Casperson	Hammon	Miller	Stakoe
Caswell	Hansen	Moolenaar	Steil
Caul	Hildenbrand	Moore	Tobocman
Cheeks	Hopgood	Moss	Vagnozzi
Clack	Horn	Nitz	Valentine
Clemente	Huizenga	Nofs	Walker
Condino	Hune	Opsommer	Ward
Constan	Jackson	Palsrok	Warren
Corriveau	Johnson	Pastor	Wenke
Coulouris	Jones, Rick	Pavlov	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean	Knollenberg	Polidori	

### Nays—5

Agema	Hood	Hoogendyk	Palmer
Garfield			

In The Chair: Sak

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that the Committee on Government Operations be discharged from further consideration of **House Concurrent Resolution No. 67.**

(For first notice see House Journal No. 92, p. 3000.)

The question being on the motion made by Rep. Tobocman,  
The motion prevailed, a majority of the members serving voting therefor.

The Speaker laid before the House

### House Concurrent Resolution No. 67.

A concurrent resolution to express support for the nation of Israel and to urge the President and Congress of the United States to continue to strengthen the ties between our two countries.

(For text of concurrent resolution, see House Journal No. 4, p. 34.)

(The concurrent resolution was discharged from the Committee on Government Operations on December 11.)

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

Rep. Tobocman moved that the Committee on Appropriations be discharged from further consideration of **House Concurrent Resolution No. 103.**

(For first notice see House Journal No. 92, p. 3000.)

The question being on the motion made by Rep. Tobocman,  
The motion prevailed, a majority of the members serving voting therefor.

The Speaker laid before the House

### House Concurrent Resolution No. 103.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Phoenix Laboratory.

(For text of concurrent resolution, see House Journal No. 92, p. 2987.)

(The concurrent resolution was discharged from the Committee on Appropriations on December 11.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

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

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 1067**

**Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Scott
Bieda	Gaffney	Lemmons	Shaffer
Booher	Garfield	Lindberg	Sheen
Brandenburg	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayes	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Melton	Spade
Casperson	Hammon	Meltzer	Stahl
Caswell	Hansen	Miller	Stakoe
Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Vagnozzi
Clemente	Hopgood	Nitz	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Opsommer	Ward
Corriveau	Hune	Palmer	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

**Nays—0**

In The Chair: Sak

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Rep. Hood offered the following concurrent resolution:

**House Concurrent Resolution No. 104.**

A concurrent resolution to authorize construction and establish the total project cost of the Health Sciences Facility project at Saginaw Valley State University.

Whereas, The Saginaw Valley State University Health Sciences Facility project was approved by the Joint Capital Outlay Subcommittee as a self-financed project on December 10, 2008; and

Whereas, The Saginaw Valley State University Health Sciences Facility project was authorized for planning as a state project in 2008 PA 278; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to authorize construction and establish the total authorized cost to construct the Saginaw Valley State University Health Sciences Facility project at an amount not to exceed \$28,000,000 (State Building Authority share \$20,999,900; State General Fund/General Purpose share \$100; Saginaw Valley State University share \$7,000,000); that the respective financing shares may be adjusted based upon the State Building Authority's ability to finance the state share up to an amount not to exceed \$20,999,900; and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, the State Building Authority, and Saginaw Valley State University.

Pending the reference of the concurrent resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the concurrent resolution be considered at this time.

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

### Comments and Recommendations

Rep. Hune:

"I walked into the House Chambers 10 years ago in 1998 fresh out of high school and just beginning my job as a Page. On my first day of work I was told to report to Chief Sergeant at Arms Jack Porn, he was a great boss, but I don't think that I have heard a funnier name since. It has been a tremendous honor to serve in this institution. It has certainly been good to me and I would like to think that I have been good in return and to the people of the state of Michigan, as well.

There are so many people to thank and mention today, but I needed to limit it.

Leader DeRoche you and I spent a whole lot of time together involved in insurance policy and our caucus election efforts. We often didn't agree, but you usually talked me into submission and I've gotta admit that I stopped trying to figure out what was going through that crazy head of yours a long time ago.

Virgil Smith- looking back it is amazing that you ever wanted to hang out with this chubby young conservative farm kid from Livingston County. But you are one of the handful of legislators in this town whose word I knew was golden. I always knew that if you told me something it was the truth. I wish you the best Mr. Chairman.

To my friend Chris Ward. I'm surprised that you even showed up today, after all it is Wednesday. You are a brilliant friend and someone actually described you as a savant to me before. However I think that is the second most accurate description of you, behind the term Sloth!!! We have been super close friends political allies and have always looked out for each other. I need to thank you for what you have called your biggest legislative achievement -being the match maker for my new bride Marcia and me. Ward we constantly laugh when we are together and it is usually at someone else's expense, with Wenke and Robertson as the usual targets. In fact we have literally laughed ourselves sick before. Thanks for everything.

My seatmate Ed Gaffney. You are the only person I know that is actually a caricature of yourself. Ed, you and I agreed on almost nothing, but that has never come between us and we have always been there to support each other if needed. Ed you may be the one of the most quotable people in Lansing. My favorite Ed Gaffney quote was, 'Uhhh Joe, the two best qualities you can find in a spouse is low self-esteem and no sense of smell.' Ed thanks for everything.

Gary Randall- you put your confidence in me when you chose me to work in your office for a few years before I was elected and you have always been there deflate my ego, when I needed that the most. When I initially lost my first election by 2 votes I was so mad at you because you talked me into running for this office, but when I finally won my recount by 2 votes I have been thankful to you ever since. Gary we have often talked about being long lost twins, despite our age difference, me having a few more pounds, and also a whole lot more hair than you, we have the same dreams, interests, and visions. Just like John Stahl said, you have been a great mentor and a father figure to me, well more like a grandfather figure to me.

To my family, supporters, friends, and the residents of the 47th District thank you for putting your confidence in me as your advocate in Lansing. It has been awesome and I hope that I made you proud.

To all of the people that work in this town, especially the non-partisan staff, like Dan Stump and the rest of the Clerks Office, and others around here thank you for everything.

To my staff that made me look so good and without a doubt took care of the people of Livingston County. Andrew Clarkson moved onto greener pastures a while back.

Mary Helfmann you have been a tireless advocate on my behalf and behalf of our constituents. You have coddled our residents like no other and your compassion will be sorely missed by the residents of Livingston County.

Troy Tuggle you have been a great friend and your work has been awesome. You too have been there to give me a job when I needed to be grounded the most. Your detail and work ethic is admirable.

Rep-elect Cindy you we have spent an enormous amount of time together over the past several years and you were there for me from day one on the campaign trail. You too have been a tireless advocate on my behalf and have been committed to our office from day one. You were once called our office den-mother and I think that was the perfect description for you. I always knew that things were taken care of when you were around and I have the utmost confidence in you serving the 47th District next. Congratulations you deserve it and I am confident that our residents will be well cared for.

I remember doing farm chores with my dad one day and letting him know that I was going to run for the State House. He said to me that there was no way on earth that I could win but he and mom would put in 110% if I did decide to get into the race. My parents worked so hard for me to be able to make it to this town and they deserve all of the thanks in the world.

To my other half, my new bride-Marcia. You mean the world to me and I too need to thank you for being so supportive of me and this position. I also need to thank you for finally giving in after Chris Ward worked so diligently to set us up. You deserve an award for putting up with me thus far and I love you so much.

Thank you my friends and God Bless.”

By unanimous consent the House returned to the order of

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bill had been printed and placed upon the files of the members on Thursday, December 11:

**Senate Bill No. 1673**

The Clerk announced that the following Senate bills had been received on Thursday, December 11:

**Senate Bill Nos. 651 861 1020 1104 1375 1392 1394 1532 1630 1631 1632 1633 1648 1666**

**Reports of Standing Committees**

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

**Senate Bill No. 1051, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 261 (MCL 208.1261).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Wenke and Calley

Nays: None

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

**Senate Bill No. 1052, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 109 (MCL 208.1109).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Wenke and Calley

Nays: None

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

**Senate Bill No. 1056, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 115 (MCL 208.1115).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Wenke and Calley

Nays: None

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

**Senate Bill No. 1281, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2008 PA 285.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Sheltroun, Meltzer, Sheen, Pastor, Wenke and Calley

Nays: Reps. Robert Jones, Warren and Young

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

**Senate Bill No. 1491, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 1998 PA 469.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Wenke and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 11, 2008

Present: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Wenke and Calley

Absent: Reps. Meisner, Steil and Palmer

Excused: Reps. Meisner, Steil and Palmer

Messages from the Senate

**House Bill No. 4599, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1060.

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. 5935, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14g of chapter XVII (MCL 777.14g), as amended by 2004 PA 304.

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. 6441, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4a (MCL 445.574a), as added by 1998 PA 473.

The Senate has passed the bill by a 3/4 vote.

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

**House Bill No. 6442, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 4b (MCL 445.574b), as added by 1998 PA 473.

The Senate has passed the bill by a 3/4 vote.

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

**House Bill No. 6714, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 17315, 17321, and 17333.

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. 6715, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 17325 and 17329.

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. 4289, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 625k, 625l, 904, and 904d (MCL 257.625k, 257.625l, 257.904, and 257.904d), sections 625k, 625l, and 904d as amended by 2003 PA 61 and section 904 as amended by 2004 PA 362.

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 42, the bill was laid over one day.



**House Bill No. 5147, entitled**

A bill to provide standards for reverse vending machines; to prohibit the use, replacement, leasing, transfer, and sales of certain designs of reverse vending machines; to prescribe penalties; and to provide for the powers and duties of certain state and local governmental officers and entities.

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

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 5356, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 108, 109, 123, 201, 211, 217, 241, 251, 545a, 564a, 564b, 762, 1002, and 1060 (MCL 450.1108, 450.1109, 450.1123, 450.1201, 450.1211, 450.1217, 450.1241, 450.1251, 450.1545a, 450.1564a, 450.1564b, 450.1762, 450.2002, and 450.2060), sections 108, 211, and 241 as amended and section 545a as added by 1989 PA 121, sections 109 and 251 as amended by 1993 PA 91, sections 123 and 564b as amended by 2001 PA 57, sections 217, 564a, and 762 as amended by 1997 PA 118, and section 1060 as amended by 2007 PA 83, and by adding sections 745 and 746; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1972 PA 284, entitled "An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts," by amending sections 131, 201, 211, 217, 241, 545a, 564a, 564b, 762, 1002, and 1060 (MCL 450.1131, 450.1201, 450.1211, 450.1217, 450.1241, 450.1545a, 450.1564a, 450.1564b, 450.1762, 450.2002, and 450.2060), section 131 as amended by 2005 PA 217, sections 211 and 241 as amended and section 545a as added by 1989 PA 121, sections 217, 564a, and 762 as amended by 1997 PA 118, section 564b as amended by 2001 PA 57, and section 1060 as amended by 2007 PA 83, and by adding sections 745, 746, and 806; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 5694, entitled**

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 4, 5, and 8 (MCL 445.404, 445.405, and 445.408), as amended by 2006 PA 675.

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

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 5934, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348, and by adding section 9501a; and to repeal acts and parts of acts.

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 amended the title to read as follows:

A bill to amend 1962 PA 174, entitled "An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts," (MCL 440.1101 to 440.11102) by adding section 9501a.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.



**House Bill No. 6150, entitled**

A bill to create the Michigan supply chain management development commission; to prescribe the powers and duties of the commission; and to provide for certain regulations.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 6181, entitled**

A bill to regulate the purchase and sale of certain nonferrous metals; to provide for certain disclosures by certain persons regarding certain transactions; to require the creation of certain records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies.

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

The Senate has passed the bill as substituted (S-3) and amended the title to read as follows:

A bill to regulate the purchase and sale of certain nonferrous metals; to provide for disclosures by certain persons regarding certain transactions; to require the creation of records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

**House Bill No. 6496, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 266 (MCL 206.266), as amended by 2007 PA 94.

The Senate has amended the bill as follows:

1. Amend page 13, following line 26, by inserting:

"Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 973 of the 94th Legislature is enacted into law."

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Education be discharged from further consideration of **House Bill No. 4141**.

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

Rep. Tobocman withdrew the motion.

**Second Reading of Bills**

The House returned to the consideration of

**Senate Bill No. 1376, 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 2 (MCL 207.552), as amended by 2007 PA 146.

(The bill was considered earlier today, see today's Journal, p. 3025.)

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

The motion prevailed.

Rep. Tobocman 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. 1376, 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 2 (MCL 207.552), as amended by 2007 PA 146.

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

**Roll Call No. 1068**

**Yeas—108**

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Schuitmaker
Bennett	Farrah	Leland	Scott
Bieda	Gaffney	Lemmons	Shaffer
Booher	Garfield	Lindberg	Sheen
Brandenburg	Gillard	Marleau	Sheltrown
Brown	Gonzales	Mayer	Simpson
Byrnes	Green	McDowell	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Melton	Spade
Casperson	Hammon	Meltzer	Stahl
Caswell	Hansen	Miller	Stakoe
Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Vagnozzi
Clemente	Hopgood	Nitz	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Opsommer	Ward
Corriveau	Hune	Palmer	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

**Nays—0**

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

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

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 sections 2, 7, and 14 (MCL 207.552, 207.557, and 207.564), section 2 as amended by 2008 PA 170, section 7 as amended by 2006 PA 483, and section 14 as amended by 2007 PA 146.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 1550, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2004 PA 357.

The bill was read a second time.

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

The motion prevailed.

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

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

---

Rep. Tobocman moved that Rep. Cushingberry be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1550, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as amended by 2004 PA 357.

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

#### Roll Call No. 1069

#### Yeas—107

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer

Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons

Knollenberg  
Lahti  
LaJoy  
Law, David  
Law, Kathleen

Polidori  
Pros  
Robertson  
Rocca  
Sak

Ball	Espinoza	LeBlanc	Schuitmaker
Bauer	Farrah	Leland	Scott
Bennett	Gaffney	Lemmons	Shaffer
Bieda	Garfield	Lindberg	Sheen
Booher	Gillard	Marleau	Sheltrown
Brandenburg	Gonzales	Mayes	Simpson
Brown	Green	McDowell	Smith, Alma
Byrnes	Griffin	Meekhof	Smith, Virgil
Byrum	Hammel	Melton	Spade
Calley	Hammon	Meltzer	Stahl
Casperson	Hansen	Miller	Stakoe
Caswell	Hildenbrand	Moolenaar	Steil
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Vagnozzi
Clack	Hopgood	Nitz	Valentine
Clemente	Horn	Nofs	Walker
Condino	Huizenga	Opsommer	Ward
Constan	Hune	Palmer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young
DeRoche	Jones, Robert	Pearce	

### Nays—0

In The Chair: Sak

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

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

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1344, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1205 (MCL 500.1205), as amended by 2001 PA 228.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Booher moved that Rep. Hansen be excused from the balance of today's session.  
The motion prevailed.

Rep. Meekhof moved that Rep. Acciavatti be excused temporarily from today's session.  
The motion prevailed.

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

**Senate Bill No. 1344, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1205 (MCL 500.1205), as amended by 2001 PA 228.

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

**Roll Call No. 1070**

**Yeas—106**

Accavitti	Dillon	Lahti	Polidori
Agema	Donigan	LaJoy	Proos
Amos	Ebli	Law, David	Robertson
Angerer	Elsenheimer	Law, Kathleen	Rocca
Ball	Emmons	LeBlanc	Sak
Bauer	Espinoza	Leland	Schuitmaker
Bennett	Farrah	Lemmons	Scott
Bieda	Gaffney	Lindberg	Shaffer
Booher	Garfield	Marleau	Sheen
Brandenburg	Gillard	Mayer	Sheltrown
Brown	Gonzales	McDowell	Simpson
Byrnes	Green	Meekhof	Smith, Alma
Byrum	Griffin	Melton	Smith, Virgil
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Steil
Cheeks	Hoogendyk	Moss	Tobocman
Clack	Hopgood	Nitz	Vagnozzi
Clemente	Horn	Nofs	Valentine
Condino	Huizenga	Opsommer	Walker
Constan	Hune	Palmer	Ward
Corriveau	Jackson	Palsrok	Warren
Coulouris	Johnson	Pastor	Wenke
Cushingberry	Jones, Rick	Pavlov	Wojno
Dean	Jones, Robert	Pearce	Young
DeRoche	Knollenberg		

**Nays—0**

In The Chair: Sak

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

"An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to

provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act."

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1401, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1239 (MCL 500.1239), as amended by 2007 PA 187.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 1401, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 1239 (MCL 500.1239), as amended by 2007 PA 187.

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

#### Roll Call No. 1071

#### Yeas—106

Accavitti	DeRoche	Lahti	Polidori
Acciavatti	Dillon	LaJoy	Proos
Agema	Donigan	Law, David	Robertson
Amos	Ebli	Law, Kathleen	Rocca
Angerer	Elsenheimer	LeBlanc	Sak
Ball	Emmons	Leland	Schuitmaker

Bauer	Espinoza	Lemmons	Scott
Bennett	Farrah	Lindberg	Shaffer
Bieda	Gaffney	Marleau	Sheen
Booher	Garfield	Mayer	Sheltrown
Brandenburg	Gonzales	McDowell	Simpson
Brown	Green	Meekhof	Smith, Alma
Byrnes	Griffin	Melton	Smith, Virgil
Byrum	Hammel	Meltzer	Spade
Calley	Hammon	Miller	Stahl
Casperson	Hildenbrand	Moolenaar	Stakoe
Caswell	Hood	Moore	Steil
Caul	Hoogendyk	Moss	Tobocman
Cheeks	Hopgood	Nitz	Vagnozzi
Clack	Horn	Nofs	Valentine
Clemente	Huizenga	Opsommer	Walker
Condino	Hune	Palmer	Ward
Constan	Jackson	Palsrok	Warren
Corriveau	Johnson	Pastor	Wenke
Coulouris	Jones, Rick	Pavlov	Wojno
Cushingberry	Jones, Robert	Pearce	Young
Dean	Knollenberg		

### Nays—0

In The Chair: Sak

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

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

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



By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 4577**.

(For first notice see House Journal No. 92, p. 3000.)

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

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

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

### Second Reading of Bills

#### House Bill No. 4577, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2006 PA 562.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

---

Rep. Caswell moved that Rep. Steil be excused from the balance of today's session.

The motion prevailed.

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

#### House Bill No. 4577, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2006 PA 562.

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

#### Roll Call No. 1072

#### Yeas—69

Accavitti	DeRoche	Jones, Robert	Polidori
Acciavatti	Dillon	Lahti	Rocca
Angerer	Donigan	LaJoy	Schuitmaker
Ball	Ebli	Law, Kathleen	Scott
Bennett	Elsenheimer	LeBlanc	Sheltrown
Bieda	Emmons	Leland	Simpson
Brown	Espinoza	Lemmons	Smith, Alma
Byrnes	Farrah	Lindberg	Smith, Virgil
Byrum	Gillard	Mayes	Spade
Casperson	Gonzales	McDowell	Stahl
Cheeks	Griffin	Melton	Tobocman
Clack	Hammon	Meltzer	Vagnozzi
Clemente	Hildenbrand	Miller	Valentine
Condino	Hood	Nitz	Ward



Corriveau	Hopgood	Palsrok	Warren
Coulouris	Jackson	Pastor	Wojno
Cushingberry	Johnson	Pearce	Young
Dean			

### Nays—37

Agema	Garfield	Law, David	Pavlov
Amos	Green	Marleau	Proos
Bauer	Hammel	Meekhof	Robertson
Booher	Hoogendyk	Moolenaar	Sak
Brandenburg	Horn	Moore	Shaffer
Calley	Huizenga	Moss	Sheen
Caswell	Hune	Nofs	Stakoe
Caul	Jones, Rick	Opsommer	Walker
Constan	Knollenberg	Palmer	Wenke
Gaffney			

In The Chair: Sak

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

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

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2008 PA 7.

The motion prevailed.

The House agreed to the title as amended.

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

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

---

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

“Mr. Speaker and members of the House:

While I agree that how we fund our transportation infrastructure is critically important, this is part of a package of bills that have been brought forth this evening that have been substituted and/or amended in a manner that has not been shared with the House as a whole. In some cases, it has become evident after the fact that they are being substituted in a manner so that they actually have the opposite of the initial purpose of the bill. As such, I can not vote on a bill without knowing its true content, and I wish to thank Rep. Vagnozzi for pointing out that the majority of members are being asked to vote on these bills without knowing what they accomplish.

Before we can consider raising gas taxes, registration fees, or other hardships onto Michigan’s citizens it is important that we first ensure that the equivalent of all gas tax monies be spent on road funding, and that the road funding money we generate is not being diverted for other purposes. For that reason I am in support of my bills that would create the Priority Now! Transportation fund, HB 6520, HB 6521, and HJR NNN to establish a baseline for how much transportation money we currently should be using.”

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 6749**.

(For first notice see House Journal No. 92, p. 3000.)

The question being on the motion made by Rep. Tobocman,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 6749, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 8 and 14 (MCL 207.1008 and 207.1014), section 8 as amended by 2006 PA 268.

The bill was read a second time.

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

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

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

The motion prevailed.

Rep. Tobocman 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. 6749, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 8 and 14 (MCL 207.1008 and 207.1014), section 8 as amended by 2006 PA 268.

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

#### Roll Call No. 1073

#### Yeas—69

Accavitti	Dean	Lahti	Rocca
Acciavatti	DeRoche	LaJoy	Schuitmaker
Angerer	Dillon	Law, Kathleen	Scott
Ball	Donigan	LeBlanc	Sheltrown
Bennett	Ebli	Leland	Simpson
Bieda	Elsenheimer	Lemmons	Smith, Alma
Brown	Emmons	Lindberg	Smith, Virgil
Byrnes	Espinoza	Mayes	Spade
Byrum	Farrah	McDowell	Stahl
Casperson	Gillard	Melton	Tobocman
Cheeks	Gonzales	Meltzer	Vagnozzi
Clack	Hammon	Miller	Valentine
Clemente	Hood	Nitz	Ward
Condino	Hopgood	Palsrok	Warren
Constan	Jackson	Pastor	Wenke
Corriveau	Johnson	Pearce	Wojno
Coulouris	Jones, Robert	Polidori	Young
Cushingberry			

#### Nays—37

Agema	Green	Knollenberg	Palmer
Amos	Griffin	Law, David	Pavlov
Bauer	Hammel	Marleau	Proos

Booher	Hildenbrand	Meekhof	Robertson
Brandenburg	Hoogendyk	Moolenaar	Sak
Calley	Horn	Moore	Shaffer
Caswell	Huizenga	Moss	Sheen
Caul	Hune	Nofs	Stakoe
Gaffney	Jones, Rick	Opsommer	Walker
Garfield			

In The Chair: Sak

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

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

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 2, 4, 6, 8, 14, and 152 (MCL 207.1002, 207.1004, 207.1006, 207.1008, 207.1014, and 207.1152), section 2 as amended by 2002 PA 668, section 4 as amended by 2006 PA 277, and section 8 as amended by 2006 PA 268; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

---

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

"Mr. Speaker and members of the House:

While I agree that how we fund our transportation infrastructure is critically important, this is part of a package of bills that have been brought forth this evening that have been substituted and/or amended in a manner that has not been shared with the House as a whole. In some cases, it has become evident after the fact that they are being substituted in a manner so that they actually have the opposite of the initial purpose of the bill. As such, I can not vote on a bill without knowing its true content, and I wish to thank Rep. Vagnozzi for pointing out that the majority of members are being asked to vote on these bills without knowing what they accomplish.

Before we can consider raising gas taxes, registration fees, or other hardships onto Michigan's citizens it is important that we first ensure that the equivalent of all gas tax monies be spent on road funding, and that the road funding money we generate is not being diverted for other purposes. For that reason I am in support of my bills that would create the Priority Now! Transportation fund, HB 6520, HB 6521, and HJR NNN to establish a baseline for how much transportation money we currently should be using."

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 6750**.

(For first notice see House Journal No. 92, p. 3000.)

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

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

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

### **Second Reading of Bills**

#### **House Bill No. 6750, entitled**

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending sections 2 and 5 (MCL 207.212 and 207.215), section 2 as amended by 2006 PA 346 and section 5 as amended by 1996 PA 584.

The bill was read a second time.

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

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

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

The motion prevailed.

Rep. Tobocman 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. 6750, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending sections 2 and 5 (MCL 207.212 and 207.215), section 2 as amended by 2006 PA 346 and section 5 as amended by 1996 PA 584.

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

#### Roll Call No. 1074

#### Yeas—68

Accavitti	Cushingberry	Jones, Robert	Polidori
Acciavatti	Dean	Lahti	Rocca
Angerer	DeRoche	LaJoy	Schuitmaker
Ball	Dillon	Law, Kathleen	Scott
Bennett	Donigan	LeBlanc	Sheltrown
Bieda	Ebli	Leland	Simpson
Brown	Elsenheimer	Lemmons	Smith, Alma
Byrnes	Emmons	Lindberg	Smith, Virgil
Byrum	Espinoza	Mayes	Spade
Casperson	Farrah	McDowell	Tobocman
Cheeks	Gillard	Melton	Vagnozzi
Clack	Gonzales	Meltzer	Valentine
Clemente	Hammon	Miller	Ward
Condino	Hood	Nitz	Warren
Constan	Hopgood	Palsrok	Wenke
Corriveau	Jackson	Pastor	Wojno
Coulouris	Johnson	Pearce	Young

#### Nays—38

Agema	Green	Law, David	Pavlov
Amos	Griffin	Marleau	Proos
Bauer	Hammel	Meekhof	Robertson
Booher	Hildenbrand	Moolenaar	Sak
Brandenburg	Hoogendyk	Moore	Shaffer
Calley	Horn	Moss	Sheen
Caswell	Huizenga	Nofs	Stahl
Caul	Hune	Opsommer	Stakoe
Gaffney	Jones, Rick	Palmer	Walker
Garfield	Knollenberg		

In The Chair: Sak

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

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

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 2 (MCL 207.212), as amended by 2006 PA 346.

The motion prevailed.

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

---

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

“Mr. Speaker and members of the House:

While I agree that how we fund our transportation infrastructure is critically important, this is part of a package of bills that have been brought forth this evening that have been substituted and/or amended in a manner that has not been shared with the House as a whole. In some cases, it has become evident after the fact that they are being substituted in a manner so that they actually have the opposite of the initial purpose of the bill. As such, I can not vote on a bill without knowing its true content, and I wish to thank Rep. Vagnozzi for pointing out that the majority of members are being asked to vote on these bills without knowing what they accomplish.

Before we can consider raising gas taxes, registration fees, or other hardships onto Michigan’s citizens it is important that we first ensure that the equivalent of all gas tax monies be spent on road funding, and that the road funding money we generate is not being diverted for other purposes. For that reason I am in support of my bills that would create the Priority Now! Transportation fund, HB 6520, HB 6521, and HJR NNN to establish a baseline for how much transportation money we currently should be using.”

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 6752**.

(For first notice see House Journal No. 92, p. 3007.)

The question being on the motion made by Rep. Tobocman,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

#### **Second Reading of Bills**

##### **House Bill No. 6752, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports;

to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10 and 10c (MCL 247.660 and 247.660c), section 10 as amended by 2007 PA 210 and section 10c as amended by 2005 PA 45.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 6752, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10 and 10c (MCL 247.660 and 247.660c), section 10 as amended by 2007 PA 210 and section 10c as amended by 2005 PA 45.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Mayes moved to amend the bill as follows:

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

**"(I) AN AMOUNT EQUAL TO \$200,000.00 PER MOVABLE BRIDGE EACH FISCAL YEAR TO THE STATE TRUNK LINE FUND FOR THE OPERATION, MAINTENANCE, AND REHABILITATION OF MOVABLE BRIDGES IN THIS STATE. IF THE LOCAL GOVERNMENTAL AGENCY IN WHICH THE MOVABLE BRIDGE IS LOCATED PROVIDES A MATCH OF AT LEAST 25% OF THE AMOUNT DESIGNATED FOR THE MOVABLE BRIDGE."** and relettering the remaining subdivision.

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

The question being on the passage of the bill,

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

**Roll Call No. 1075****Yeas—70**

Accavitti	Dean	Johnson	Polidori
Acciavatti	DeRoche	Jones, Robert	Rocca
Angerer	Dillon	Lahti	Schuitmaker
Ball	Donigan	LaJoy	Scott
Bennett	Ebli	Law, Kathleen	Sheltrown
Bieda	Elsenheimer	LeBlanc	Simpson
Brown	Emmons	Leland	Smith, Alma
Byrnes	Espinoza	Lemmons	Smith, Virgil
Byrum	Farrah	Lindberg	Spade
Casperson	Gaffney	Mayes	Tobocman
Cheeks	Gillard	McDowell	Vagnozzi
Clack	Gonzales	Melton	Valentine
Clemente	Hammel	Miller	Ward
Condino	Hammon	Nitz	Warren
Constan	Hood	Palsrok	Wenke
Corriveau	Hopgood	Pastor	Wojno
Coulouris	Horn	Pearce	Young
Cushingberry	Jackson		

**Nays—36**

Agema	Green	Marleau	Pavlov
Amos	Griffin	Meekhof	Proos
Bauer	Hildenbrand	Meltzer	Robertson
Booher	Hoogendyk	Moolenaar	Sak
Brandenburg	Huizenga	Moore	Shaffer
Calley	Hune	Moss	Sheen
Caswell	Jones, Rick	Nofs	Stahl
Caul	Knollenberg	Opsommer	Stakoe
Garfield	Law, David	Palmer	Walker

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 4575**.

(For first notice see House Journal No. 92, p. 3000.)

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

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

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

**Second Reading of Bills****House Bill No. 4575, entitled**

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2006 PA 268.

The bill was read a second time.



Rep. DeRoche moved to amend the bill as follows:

1. Amend page 1, line 4, after "(c)," by striking out "22" and inserting "19".
2. Amend page 1, line 5, after "2008," by striking out "25" and inserting "0".
3. Amend page 1, line 6, after "GASOLINE" by striking out "FROM" and inserting "ON AND AFTER".
4. Amend page 1, line 6, after "2009" by striking out the balance of the sentence and inserting a period.

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

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

The motion prevailed.

Rep. Tobocman 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. 4575, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2006 PA 268.

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

#### Roll Call No. 1076

#### Yeas—57

Accavitti	DeRoche	LaJoy	Rocca
Acciavatti	Dillon	Law, Kathleen	Schuitmaker
Angerer	Donigan	Leland	Sheltrown
Ball	Ebli	Lemmons	Simpson
Bennett	Elsenheimer	Lindberg	Smith, Alma
Bieda	Emmons	Mayer	Smith, Virgil
Byrnes	Farrah	McDowell	Spade
Casperson	Gillard	Meltzer	Tobocman
Cheeks	Gonzales	Miller	Vagnozzi
Clack	Hood	Nitz	Valentine
Condino	Hopgood	Palsrok	Ward
Corriveau	Jackson	Pastor	Warren
Coulouris	Jones, Robert	Pearce	Wenke
Cushingberry	Lahti	Polidori	Wojno
Dean			

#### Nays—48

Agema	Espinoza	Johnson	Opsommer
Amos	Gaffney	Jones, Rick	Palmer
Bauer	Garfield	Knollenberg	Pavlov
Booher	Green	Law, David	Proos
Brandenburg	Griffin	LeBlanc	Robertson
Brown	Hammel	Marleau	Sak
Byrum	Hammon	Meekhof	Scott
Calley	Hildenbrand	Melton	Shaffer
Caswell	Hoogendyk	Moolenaar	Sheen
Caul	Horn	Moore	Stahl
Clemente	Huizenga	Moss	Stakoe
Constan	Hune	Nofs	Walker

In The Chair: Sak



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

---

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

“Mr. Speaker and members of the House:

While I agree that how we fund our transportation infrastructure is critically important, this is part of a package of bills that have been brought forth this evening that have been substituted and/or amended in a manner that has not been shared with the House as a whole. In some cases, it has become evident after the fact that they are being substituted in a manner so that they actually have the opposite of the initial purpose of the bill. As such, I can not vote on a bill without knowing its true content, and I wish to thank Rep. Vagnozzi for pointing out that the majority of members are being asked to vote on these bills without knowing what they accomplish.

Before we can consider raising gas taxes, registration fees, or other hardships onto Michigan’s citizens it is important that we first ensure that the equivalent of all gas tax monies be spent on road funding, and that the road funding money we generate is not being diverted for other purposes. For that reason I am in support of my bills that would create the Priority Now! Transportation fund, HB 6520, HB 6521, and HJR NNN to establish a baseline for how much transportation money we currently should be using.”

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1588**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

#### **Second Reading of Bills**

##### **Senate Bill No. 1588, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide

for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10c (MCL 247.660c), as amended by 2005 PA 45.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 1588, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10c (MCL 247.660c), as amended by 2005 PA 45.

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

#### Roll Call No. 1077

#### Yeas—67

Accavitti	Cushingberry	Jackson	Polidori
Acciavatti	Dean	Johnson	Rocca
Angerer	Dillon	Jones, Robert	Sak
Bauer	Donigan	Knollenberg	Scott
Bennett	Ebli	Lahti	Sheltrown
Bieda	Espinoza	LaJoy	Simpson
Brandenburg	Farrah	Law, Kathleen	Smith, Alma
Brown	Gaffney	LeBlanc	Smith, Virgil
Byrnes	Gillard	Leland	Spade
Byrum	Gonzales	Lemmons	Tobocman
Cheeks	Green	Lindberg	Vagnozzi
Clack	Griffin	Marleau	Valentine

Clemente	Hammel	Mayes	Ward
Condino	Hammon	McDowell	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Horn	Palmer	

### Nays—39

Agema	Emmons	Moolenaar	Proos
Amos	Garfield	Moore	Robertson
Ball	Hildenbrand	Moss	Schuitmaker
Booher	Hoogendyk	Nitz	Shaffer
Calley	Huizenga	Nofs	Sheen
Casperson	Hune	Opsommer	Stahl
Caswell	Jones, Rick	Palsrok	Stakoe
Caul	Law, David	Pastor	Walker
DeRoche	Meekhof	Pavlov	Wenke
Elsenheimer	Meltzer	Pearce	

In The Chair: Sak

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1589**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 1589, entitled

A bill to amend 1867 PA 35, entitled "An act to provide for the formation of street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies," by amending the title and section 23 (MCL 472.23); and to repeal acts and parts of acts.

The bill was read a second time.

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

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

The motion prevailed.

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

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

Rep. Tobocman moved that Reps. Kathleen Law and Hood be excused temporarily from today's session. The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1589, entitled**

A bill to amend 1867 PA 35, entitled "An act to provide for the formation of street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies," by amending the title and section 23 (MCL 472.23); and to repeal acts and parts of acts.

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

**Roll Call No. 1078**

**Yeas—71**

Accavitti	Corriveau	Jackson	Pearce
Acciavatti	Coulouris	Johnson	Polidori
Angerer	Cushingberry	Jones, Robert	Rocca
Bauer	Dean	Knollenberg	Sak
Bennett	Dillon	Lahti	Scott
Bieda	Donigan	LaJoy	Sheltrown
Booher	Ebli	LeBlanc	Simpson
Brandenburg	Espinoza	Leland	Smith, Alma
Brown	Farrah	Lemmons	Smith, Virgil
Byrnes	Gaffney	Lindberg	Spade
Byrum	Gillard	Marleau	Stakoe
Caswell	Gonzales	Mayer	Tobocman
Caul	Green	McDowell	Vagnozzi
Cheeks	Griffin	Melton	Valentine
Clack	Hammel	Miller	Warren
Clemente	Hammon	Moore	Wojno
Condino	Hopgood	Nofs	Young
Constan	Horn	Palmer	

**Nays—33**

Agema	Hildenbrand	Moolenaar	Robertson
Amos	Hoogendyk	Moss	Schuitmaker
Ball	Huizenga	Nitz	Shaffer
Calley	Hune	Opsommer	Sheen
Casperson	Jones, Rick	Palsrok	Stahl
DeRoche	Law, David	Pastor	Walker
Elsenheimer	Meekhof	Pavlov	Ward
Emmons	Meltzer	Proos	Wenke
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1590**.

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

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

**Second Reading of Bills**

**Senate Bill No. 1590, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10e (MCL 247.660e), as amended by 1998 PA 87.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 1590, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the

truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10e (MCL 247.660e), as amended by 1998 PA 87.

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

**Roll Call No. 1079****Yeas—63**

Accavitti	Coulouris	Hopgood	Palmer
Acciavatti	Cushingberry	Horn	Polidori
Angerer	Dean	Jackson	Sak
Bauer	Dillon	Johnson	Scott
Bennett	Donigan	Jones, Robert	Sheltrown
Bieda	Ebli	Knollenberg	Simpson
Brandenburg	Espinoza	Lahti	Smith, Alma
Brown	Farrah	LaJoy	Smith, Virgil
Byrnes	Gaffney	LeBlanc	Spade
Byrum	Gillard	Leland	Tobocman
Cheeks	Gonzales	Lemmons	Vagnozzi
Clack	Green	Lindberg	Valentine
Clemente	Griffin	Mayes	Warren
Condino	Hammel	McDowell	Wojno
Constan	Hammon	Melton	Young
Corriveau	Hood	Miller	

**Nays—42**

Agema	Garfield	Moore	Robertson
Amos	Hildenbrand	Moss	Rocca
Ball	Hoogendyk	Nitz	Schuitmaker
Booher	Huizenga	Nofs	Shaffer
Calley	Hune	Opsommer	Sheen
Casperson	Jones, Rick	Palsrok	Stahl
Caswell	Law, David	Pastor	Stakoe
Caul	Marleau	Pavlov	Walker
DeRoche	Meekhof	Pearce	Ward
Elsenheimer	Meltzer	Proos	Wenke
Emmons	Moolenaar		

In The Chair: Sak

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

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **Senate Bill No. 1592**.

The motion prevailed, a majority of the members serving voting therefor.  
 The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **Senate Bill No. 1592, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 1, 2, 5, 15, and 16 (MCL 474.51, 474.52, 474.55, 474.65, and 474.66), section 2 as amended by 1998 PA 235 and sections 5, 15, and 16 as amended by 1984 PA 210.

The bill was read a second time.

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

---

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

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

#### **Senate Bill No. 1592, entitled**

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," by amending sections 1, 2, 5, 15, and 16 (MCL 474.51, 474.52, 474.55, 474.65, and 474.66), section 2 as amended by 1998 PA 235 and sections 5, 15, and 16 as amended by 1984 PA 210.

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

#### **Roll Call No. 1080**

#### **Yeas—67**

Accavitti	Corriveau	Horn	Pearce
Acciavatti	Coulouris	Jackson	Polidori
Agema	Cushingberry	Johnson	Rocca



Angerer	Dean	Jones, Robert	Sak
Ball	Dillon	Knollenberg	Scott
Bauer	Donigan	Lahti	Sheltrown
Bennett	Ebli	LaJoy	Simpson
Bieda	Espinoza	LeBlanc	Smith, Alma
Brandenburg	Farrah	Leland	Spade
Brown	Gaffney	Lemmons	Tobocman
Byrnes	Gillard	Lindberg	Vagnozzi
Byrum	Gonzales	Marleau	Valentine
Cheeks	Green	Mayes	Ward
Clack	Griffin	McDowell	Warren
Clemente	Hammel	Melton	Wojno
Condino	Hammon	Miller	Young
Constan	Hopgood	Palmer	

### Nays—36

Amos	Garfield	Moolenaar	Proos
Booher	Hildenbrand	Moore	Robertson
Calley	Hoogendyk	Moss	Schuitmaker
Casperson	Huizenga	Nitz	Shaffer
Caswell	Hune	Nofs	Sheen
Caul	Jones, Rick	Opsommer	Stahl
DeRoche	Law, David	Palsrok	Stakoe
Elsenheimer	Meekhof	Pastor	Walker
Emmons	Meltzer	Pavlov	Wenke

In The Chair: Sak

The House agreed to the title of the bill.

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

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

### Comments and Recommendations

Rep. Nofs:

“Thank you Mr. Speaker

Mr. Speaker, I stand before you today with much to be thankful for. I’m thankful for the gift of life that God has given me. I’m thankful for the immense blessing of my family who is always there to support me. My mother and father, who are such incredible individuals, who sacrificed so much to give eight children a wonderful life and who taught me that giving is so much better than receiving.

And I am especially thankful for the citizens of the 62nd District and their allowing me to represent them as their state representative for the past six years. It has been an extraordinary journey... full of challenging issues and tough choices but also of bridges built and progress made. And in the course of this journey, I’ve found among my fellow travelers many wise teachers, innovative partners in policy making, and great friends.

Mr. Speaker, there are many friends from both sides of the aisle that I would like to thank today. Time will not allow me to mention all of them but I would like to express my appreciation to at least a few.

From across the aisle, friends like Paul Condino, Andy Meisner, Steve Bieda, Richard LeBlanc, John Espinoza, Tupac Hunter, Alma Wheeler Smith, Jeff Mayes, Gino Polidori, Tim Melton and yes Mr. Speaker even Mike Sak.

From this side of the aisle former members Tom (Sugar Beet Daddy) Meyer, Bill (Victim Rights) VanRegenmorter, Gary (Mr. Nice Guy) Newell, John (I’m different) Stewart, Ruth (First Lady) Johnson just to name a few.

Current members from this side of the aisle John Proos, David Palsrok, Tim Moore, Bill Huizenga, Howard Walker, John Moolenaar, Kevin Green, Phil LaJoy, David Law, Rick Shaffer, Bruce Caswell, John Stakoe, Mr. Vulnerable Jack

Brandenburg, John Garfield, Tonya Schuitmaker and especially the F.A.R.M. team members and you know who you are. I must give a special mention to one other seatmate. Who I thought by the time my six years were up either he or I would have killed each other by now. Rep John Stahl. John you tested my patience but we've also shared so many great times and I thank you John for that.

Mr. Speaker when I look back on the successes I have had during my six year legislative career, I am deeply grateful for those who helped make them possible – in particular the LSB and Fiscal and Policy staff, and the clerks, especially Cath Petroskey and my favorites the Sergeants of Arms. With the help of members from both sides of the aisle I have been fortunate to work on and had signed into law several major pieces of legislation including the Michigan Telecommunication Act, the Uniform Video Services Local Franchise Act, and the recent Michigan Electric Package, just to mention a few.

Mr. Speaker none of this would have been possible had we as a body not been willing to do the right thing at the right time for the right reason. I thank all of you for your support on these issues.

I would like to thank my current chairman and my former vice chairman of the Energy and Technology Committee Representative Frank Accavitti. Frank was one of the reasons we were so successful in passing all of these laws. Frank you are a good friend and a great chairman.

Mr. Speaker I want to give recognition to those in leadership positions who believed in me over these past six years. First, I would like to thank former Speaker Rick Johnson who, along with John Llewellyn, helped and believed in me during my first election. Thank you Rick and John.

Next, I would like to thank former Speaker Craig DeRoche who as speaker during the MTA and Video Franchise Act believed in my ability as chairman of the committee and let me work through the process to get the job done. Craig that was very much appreciated and I thank you for that.

Finally, I would like to thank the current speaker who is not only a great leader but a very good friend of mine Andy Dillon. Andy, you and I talked about this a lot - that by putting politics aside good people can truly do what is right for the citizens of Michigan. You never gave up and always believed together we could get it done and we did. You are an outstanding and unique individual and not a bad golfer either. Thank you Andy.

Last but not least, I want to thank my staff. They've served me and my constituents with dedication, professionalism, patience, compassion, and always, a great sense of humor. David Yardley was with me through my first campaign and during my first term. His enthusiasm and insight gave my legislative career a solid foundation to build on. Greg Moore has been with me for the past 4 years and I owe much of what I have been able to accomplish to him. He was always willing to work through the issues with me and never failed to go the extra mile. I would also like to thank Elizabeth Kidd who interned and served on my staff. Lizzie is an incredibly talented writer and excellent in helping constituents. Finally, I would like to thank Patty Pastor who kept my office, budgets and schedule straight – well most of the time. We made it through 6 years together even though it was doubtful at first. You gave the office what it needed that touch of magic that only you could provide. Patty, Dave, Greg and Lizzie, you are the reason that I have been so successful in Lansing and I cannot thank you enough.

In closing Mr. Speaker I have loved and cherished my time serving in the House of Representatives. I want to thank the citizens of the 62nd District for giving me the privilege of serving on their behalf. It has truly been an honor and a chapter in my life's book that I will never forget. It has been a wonderful dream come true working with so many wonderful and dedicated individuals within the walls of this great institution and I do not want to wake up.

In my family we never say 'Good-Bye' we always say 'So Long until we meet again.' So now I say to all of you 'So Long,' Thank You and God Bless each and every one of you.

Thank you Mr. Speaker.”

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **House Bill No. 6025, entitled**

A bill to establish the united way fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

(The bill was passed earlier today, see today's Journal, p. 3025.)

Rep. Tobocman moved to reconsider the vote by which the House passed the bill.

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

The question being on the passage of the bill,

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

The motion prevailed.

### Second Reading of Bills

#### House Bill No. 6026, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

---

Rep. Tobocman moved that Rep. Vagnozzi be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6026, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

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

#### Roll Call No. 1081

#### Yeas—102

Accavitti	Dean	Jones, Robert	Pavlov
Acciavatti	DeRoche	Knollenberg	Pearce
Agema	Dillon	Lahti	Polidori
Amos	Donigan	LaJoy	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Melton	Smith, Alma
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Valentine
Clack	Hopgood	Nitz	Walker
Clemente	Horn	Nofs	Ward
Condino	Huizenga	Opsommer	Warren

Constan  
Corriveau  
Coulouris  
Cushingberry

Hune  
Jackson  
Johnson  
Jones, Rick

Palmer  
Palsrok  
Pastor

Wenke  
Wojno  
Young

### Nays—1

Garfield

In The Chair: Sak

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

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

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

The motion prevailed.

The House agreed to the title as amended.

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

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

The House returned to the consideration of

### House Bill No. 6025, entitled

A bill to establish the united way fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

(The bill was considered earlier today, see today’s Journal, p. 3057.)

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

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

### Roll Call No. 1082

### Yeas—102

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Calley  
Casperson  
Caswell  
Caul  
Cheeks

Dean  
DeRoche  
Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Gillard  
Gonzales  
Green  
Griffin  
Hammel  
Hammon  
Hildenbrand  
Hood  
Hoogendyk

Jones, Robert  
Knollenberg  
Lahti  
LaJoy  
Law, David  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meekhof  
Melton  
Meltzer  
Miller  
Moolenaar  
Moore  
Moss

Pavlov  
Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown  
Simpson  
Smith, Alma  
Spade  
Stahl  
Stakoe  
Tobocman  
Valentine

Clack	Hopgood	Nitz	Walker
Clemente	Horn	Nofs	Ward
Condino	Huizenga	Opsommer	Warren
Constan	Hune	Palmer	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry	Jones, Rick		

### Nays—1

Garfield

In The Chair: Sak

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

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

A bill to establish the united way fund in the department of treasury; to establish the children's hospital of Michigan fund in the department of community health; to provide for the distribution of the money from those funds; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### House Bill No. 6193, entitled

A bill to establish the children's miracle network fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

Rep. Pastor moved to amend the bill as follows:

1. Amend page 2, line 17, after "research." by inserting "The money, interest, and earnings of the fund shall be expended among the children's miracle network hospitals in this state in the same proportion that each children's miracle network hospital's annual fund-raising revenue is to the total annual amount of fund-raising revenue of all children's miracle network hospitals in this state as reported to the national children's miracle network organization. Each children's miracle network hospital in this state shall annually report to the department its fund-raising revenue on a form prescribed by the department."

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

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

The motion prevailed.

Rep. Tobocman 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. 6193, entitled

A bill to establish the children's miracle network fund in the department of community health; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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



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

**House Bill No. 6194, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

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

**Roll Call No. 1084**

**Yeas—102**

Accavitti	Dean	Jones, Robert	Pavlov
Acciavatti	DeRoche	Knollenberg	Pearce
Agema	Dillon	Lahti	Polidori
Amos	Donigan	LaJoy	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Melton	Smith, Alma
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Valentine
Clack	Hopgood	Nitz	Walker
Clemente	Horn	Nofs	Ward
Condino	Huizenga	Opsommer	Warren
Constan	Hune	Palmer	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry	Jones, Rick		

**Nays—1**

Garfield

In The Chair: Sak

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

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

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

The motion prevailed.

The House agreed to the title as amended.

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

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



**Second Reading of Bills****House Bill No. 4017, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653b.

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

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

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

The motion prevailed.

Rep. Tobocman 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. 4017, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653b.

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

**Roll Call No. 1085****Yeas—102**

Accavitti	Dean	Jones, Robert	Pavlov
Acciavatti	DeRoche	Knollenberg	Pearce
Agema	Dillon	Lahti	Polidori
Amos	Donigan	LaJoy	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Gillard	Mayer	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Melton	Smith, Alma
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Valentine
Clack	Hopgood	Nitz	Walker
Clemente	Horn	Nofs	Ward
Condino	Huizenga	Opsommer	Warren
Constan	Hune	Palmer	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry	Jones, Rick		

**Nays—1**

Garfield

In The Chair: Sak

The House agreed to the title of the bill.  
 Rep. Tobocman 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. 6542, entitled**

A bill to amend 1867 PA 35, entitled “An act to provide for the formation of street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies,” by amending the title and sections 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 23, 25, and 27 (MCL 472.1, 472.3, 472.5, 472.7, 472.9, 472.11, 472.13, 472.15, 472.17, 472.19, 472.23, 472.25, and 472.27) and by adding section 21; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1867 PA 35, entitled “An act to provide for the formation of street railway companies, defining their powers and duties and authorizing the construction, use, maintenance and ownership of street railways for the transportation of passengers, and for accumulating, storing, manufacturing, conducting, using, selling, furnishing and supplying electricity and electric power, by such companies,” by amending the title and sections 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, and 27 (MCL 472.1, 472.3, 472.5, 472.7, 472.9, 472.11, 472.13, 472.15, 472.17, 472.19, and 472.27) and by adding section 21; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

Rep. Johnson moved to substitute (H-4) the Senate substitute (S-3).

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-3) made to the bill by the Senate,

The substitute (S-3), as substituted (H-4), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1086**

**Yeas—68**

Accavitti	Corriveau	Hopgood	Palmer
Acciavatti	Coulouris	Horn	Pearce
Angerer	Cushingberry	Jackson	Polidori
Bauer	Dean	Johnson	Rocca
Bennett	Dillon	Jones, Robert	Sak
Bieda	Donigan	Knollenberg	Scott
Brandenburg	Ebli	Lahti	Sheltrown
Brown	Espinoza	LaJoy	Simpson
Byrnes	Farrah	LeBlanc	Smith, Alma
Byrum	Gaffney	Leland	Spade
Caswell	Gillard	Lemmons	Tobocman
Caul	Gonzales	Lindberg	Valentine
Cheeks	Green	Mayer	Ward
Clack	Griffin	McDowell	Warren
Clemente	Hammel	Melton	Wenke
Condino	Hammon	Miller	Wojno
Constan	Hood	Nofs	Young

## Nays—35

Agema	Garfield	Meltzer	Proos
Amos	Hildenbrand	Moolenaar	Robertson
Ball	Hoogendyk	Moore	Schuitmaker
Booher	Huizenga	Moss	Shaffer
Calley	Hune	Nitz	Sheen
Casperson	Jones, Rick	Opsommer	Stahl
DeRoche	Law, David	Palsrok	Stakoe
Elsenheimer	Marleau	Pastor	Walker
Emmons	Meekhof	Pavlov	

In The Chair: Sak

The House agreed to the title as amended.

---

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

“Mr. Speaker and members of the House:

While I agree that how we fund our transportation infrastructure is critically important, this is part of a package of bills that have been brought forth this evening that have been substituted and/or amended in a manner that has not been shared with the House as a whole. In some cases, it has become evident after the fact that they are being substituted in a manner so that they actually have the opposite of the initial purpose of the bill. As such, I can not vote on a bill without knowing its true content, and I wish to thank Rep. Vagnozzi for pointing out that the majority of members are being asked to vote on these bills without knowing what they accomplish.

Before we can consider raising gas taxes, registration fees, or other hardships onto Michigan’s citizens it is important that we first ensure that the equivalent of all gas tax monies be spent on road funding, and that the road funding money we generate is not being diverted for other purposes. For that reason I am in support of my bills that would create the Priority Now! Transportation fund, HB 6520, HB 6521, and HJR NNN to establish a baseline for how much transportation money we currently should be using.”

---

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

**House Bill No. 6543, entitled**

A bill to amend 1982 PA 162, entitled “Nonprofit corporation act,” by amending section 123 (MCL 450.2123), as amended by 1990 PA 39.

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 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 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. Johnson moved to substitute (H-1) the Senate substitute (S-1).

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

**Roll Call No. 1087****Yeas—66**

Accavitti	Constan	Hood	Palmer
Acciavatti	Corriveau	Hopgood	Pearce
Agema	Coulouris	Horn	Polidori
Angerer	Cushingberry	Huizenga	Rocca
Bauer	Dean	Jackson	Sak
Bennett	Dillon	Johnson	Scott
Bieda	Donigan	Jones, Robert	Sheltrown
Brandenburg	Ebli	Knollenberg	Simpson
Brown	Espinoza	Lahti	Smith, Alma
Byrnes	Farrah	LeBlanc	Spade
Byrum	Gaffney	Lemmons	Tobocman
Calley	Gillard	Lindberg	Valentine
Casperson	Gonzales	Mayes	Ward
Cheeks	Green	McDowell	Warren
Clack	Griffin	Melton	Wojno
Clemente	Hammel	Miller	Young
Condino	Hammon		

**Nays—36**

Amos	Hildenbrand	Moolenaar	Proos
Ball	Hoogendyk	Moore	Robertson
Booher	Hune	Moss	Schuitmaker
Caswell	Jones, Rick	Nitz	Shaffer
Caul	Law, David	Nofs	Sheen
DeRoche	Leland	Opsommer	Stahl
Elsenheimer	Marleau	Palsrok	Stakoe
Emmons	Meekhof	Pastor	Walker
Garfield	Meltzer	Pavlov	Wenke

In The Chair: Sak

The House agreed to the full title.

**House Bill No. 6546, entitled**

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 109 (MCL 462.109), as amended by 2002 PA 658, and by adding section 450.

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 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 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. Johnson moved to substitute (H-1) the Senate substitute (S-1).

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

**Roll Call No. 1088****Yeas—71**

Accavitti	Coulouris	Hune	Palmer
Acciavatti	Cushingberry	Jackson	Pearce
Angerer	Dean	Johnson	Polidori
Bauer	Dillon	Jones, Robert	Rocca
Bennett	Donigan	Knollenberg	Sak
Bieda	Ebli	Lahti	Scott
Brandenburg	Espinoza	LeBlanc	Sheltrown
Brown	Farrah	Leland	Simpson
Byrnes	Gaffney	Lemmons	Smith, Alma
Byrum	Gillard	Lindberg	Spade
Casperson	Gonzales	Marleau	Tobocman
Caswell	Green	Mayer	Valentine
Caul	Griffin	McDowell	Ward
Clack	Hammel	Melton	Warren
Clemente	Hammon	Miller	Wenke
Condino	Hood	Moore	Wojno
Constan	Hopgood	Moss	Young
Corriveau	Horn	Nofs	

**Nays—30**

Agema	Garfield	Moolenaar	Robertson
Amos	Hildenbrand	Nitz	Schuitmaker
Ball	Hoogendyk	Opsommer	Shaffer
Booher	Huizenga	Palsrok	Sheen
Calley	Jones, Rick	Pastor	Stahl
DeRoche	Law, David	Pavlov	Stakoe
Elsenheimer	Meekhof	Proos	Walker
Emmons	Meltzer		

In The Chair: Sak

The House agreed to the full title.

Rep. Marleau moved that Rep. DeRoche be excused temporarily from today's session.

The motion prevailed.

**House Bill No. 6625, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14m of chapter XVII (MCL 777.14m), as amended by 2002 PA 659.

The Senate has amended the bill as follows:

1. Amend page 2, line 5, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

(a) Senate Bill No. 1104.

(b) Senate Bill No. 1589.”.

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

Rep. Johnson moved to amend the Senate amendment as follows:

1. Amend the Senate Amendment, page 2, line 5, after “unless” by striking out the balance of the amendment and inserting “Senate Bill No. 1589 of the 94th Legislature is enacted into law.”.

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

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

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

#### Roll Call No. 1089

#### Yeas—86

Accavitti	Dillon	Jones, Robert	Pavlov
Acciavatti	Donigan	Knollenberg	Pearce
Angerer	Ebli	Lahti	Polidori
Ball	Elsenheimer	Law, David	Proos
Bauer	Espinoza	LeBlanc	Rocca
Bennett	Farrah	Leland	Sak
Bieda	Gaffney	Lemmons	Schuitmaker
Brandenburg	Gillard	Lindberg	Scott
Brown	Gonzales	Marleau	Shaffer
Byrnes	Green	Mayes	Sheltrown
Byrum	Griffin	McDowell	Simpson
Casperson	Hammel	Meekhof	Smith, Alma
Caswell	Hammon	Melton	Spade
Caul	Hildenbrand	Meltzer	Stahl
Clack	Hood	Miller	Tobocman
Clemente	Hopgood	Moolenaar	Valentine
Condino	Horn	Moore	Ward
Constan	Huizenga	Moss	Warren
Corriveau	Hune	Nitz	Wenke
Coulouris	Jackson	Nofs	Wojno
Cushingberry	Johnson	Pastor	Young
Dean	Jones, Rick		

#### Nays—14

Agema	Emmons	Palmer	Sheen
Amos	Garfield	Palsrok	Stakoe
Booher	Hoogendyk	Robertson	Walker
Calley	Opsommer		

In The Chair: Sak

The House agreed to the full title.

### Second Reading of Bills

#### Senate Bill No. 1433, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78 (MCL 211.78), as added by 1999 PA 123, and by adding sections 89d and 89e.

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

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

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

The motion prevailed.

Rep. Tobocman 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. 1433, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78 (MCL 211.78), as added by 1999 PA 123, and by adding sections 89d and 89e.

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

#### Roll Call No. 1090

#### Yeas—99

Accavitti	Dean	Jones, Rick	Pearce
Acciavatti	Dillon	Jones, Robert	Polidori
Agema	Donigan	Knollenberg	Proos
Amos	Ebli	Lahti	Robertson
Angerer	Elsenheimer	Law, David	Rocca
Ball	Emmons	LeBlanc	Sak
Bauer	Espinoza	Lemmons	Schuitmaker
Bennett	Farrah	Lindberg	Scott
Bieda	Gaffney	Marleau	Shaffer
Booher	Garfield	Mayer	Sheen
Brandenburg	Gillard	McDowell	Sheltrown
Brown	Gonzales	Meekhof	Simpson
Byrnes	Green	Melton	Smith, Alma
Byrum	Griffin	Meltzer	Spade
Calley	Hammel	Miller	Stahl
Casperson	Hammon	Moolenaar	Stakoe
Caswell	Hildenbrand	Moore	Tobocman
Caul	Hood	Moss	Valentine
Clack	Hoogendyk	Nitz	Walker
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Huizenga	Palmer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Jackson	Pastor	Young
Cushingberry	Johnson	Pavlov	

#### Nays—0



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

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

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 sections 78, 89a, 89b, and 89c (MCL 211.78, 211.89a, 211.89b, and 211.89c), section 78 as added by 1999 PA 123, section 89a as amended and section 89b as added by 2003 PA 246, and section 89c as added by 2007 PA 31, and by adding sections 89d and 89e.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 1642, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 105 and 604 (MCL 38.2105 and 38.2604), as amended by 2002 PA 95.

The bill was read a second time.

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

The motion prevailed.

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

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

---

Rep. Tobocman moved that Rep. Johnson be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1642, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 105 and 604 (MCL 38.2105 and 38.2604), as amended by 2002 PA 95.

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

#### Roll Call No. 1091

#### Yeas—99

Accavitti	Dean	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	Law, David	Robertson
Angerer	Elsenheimer	LeBlanc	Rocca
Ball	Emmons	Leland	Sak
Bauer	Espinoza	Lemmons	Schuitmaker
Bennett	Farrah	Lindberg	Scott

Bieda	Gaffney	Marleau	Shaffer
Booher	Garfield	Mayes	Sheen
Brandenburg	Gillard	McDowell	Sheltrown
Brown	Gonzales	Meekhof	Simpson
Byrnes	Green	Melton	Smith, Alma
Byrum	Griffin	Meltzer	Spade
Calley	Hammel	Miller	Stahl
Casperson	Hammon	Moolenaar	Stakoe
Caswell	Hildenbrand	Moore	Tobocman
Caul	Hood	Moss	Valentine
Clack	Hoogendyk	Nitz	Walker
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Huizenga	Palmer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Jackson	Pastor	Young
Cushingberry	Jones, Rick	Pavlov	

### Nays—0

In The Chair: Sak

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

“An act to establish a judges retirement system; to provide for the administration and maintenance of the retirement system; to create a retirement board; to prescribe the powers and duties of the retirement board; to establish certain reserves for the retirement system; to establish certain funds; to prescribe the powers and duties of certain state departments and certain state and local officials and employees; to provide for certain disqualifications; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 1622, entitled

A bill to amend 1977 PA 72, entitled “The medicaid false claim act,” by amending sections 2, 7, 10a, 10c, 11, and 12 (MCL 400.602, 400.607, 400.610a, 400.610c, 400.611, and 400.612), sections 2 and 7 as amended by 1984 PA 333 and sections 10a and 10c as added and section 11 as amended by 2005 PA 337, and by adding sections 14 and 15.

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

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

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

The motion prevailed.

Rep. Tobocman 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. 1622, entitled

A bill to amend 1977 PA 72, entitled “The medicaid false claim act,” by amending sections 2, 7, 10a, 10c, 11, and 12 (MCL 400.602, 400.607, 400.610a, 400.610c, 400.611, and 400.612), sections 2 and 7 as amended by 1984 PA 333 and sections 10a and 10c as added and section 11 as amended by 2005 PA 337, and by adding sections 14 and 15.

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

**Roll Call No. 1092****Yeas—100**

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	Dillon	Jones, Robert	Pearce
Agema	Donigan	Knollenberg	Polidori
Amos	Ebli	Lahti	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Melton	Smith, Alma
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Valentine
Clemente	Hopgood	Nitz	Walker
Condino	Horn	Nofs	Ward
Constan	Huizenga	Opsommer	Warren
Corriveau	Hune	Palmer	Wenke
Coulouris	Jackson	Palsrok	Wojno
Cushingberry	Johnson	Pastor	Young

**Nays—0**

In The Chair: Sak

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

“An act to prohibit fraud in the obtaining of benefits or payments in connection with the medical assistance program; to prohibit kickbacks or bribes in connection with the program; to prohibit conspiracies in obtaining benefits or payments; to authorize the attorney general to investigate alleged violations of this act; to provide for the appointment of investigators by the attorney general; to ratify prior appointments of attorney general investigators; to provide for civil actions to recover money received by reason of fraudulent conduct; to provide for receiverships of residential health care facilities; to prohibit retaliation; to provide for certain civil fines; and to prescribe remedies and penalties.”

The House agreed to the full title.

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

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

**Second Reading of Bills****Senate Bill No. 1596, entitled**

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 845 (MCL 418.845).

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Tobocman moved that Rep. Condino be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1596, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 845 (MCL 418.845).

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

**Roll Call No. 1093**

**Yeas—100**

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	Dillon	Jones, Robert	Pearce
Agema	Donigan	Knollenberg	Polidori
Amos	Ebli	Lahti	Proos
Angerer	Elsenheimer	Law, David	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Melton	Smith, Alma
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moolenaar	Stakoe
Caul	Hood	Moore	Tobocman
Cheeks	Hoogendyk	Moss	Valentine
Clack	Hopgood	Nitz	Walker
Clemente	Horn	Nofs	Ward
Constan	Huizenga	Opsommer	Warren
Corriveau	Hune	Palmer	Wenke
Coulouris	Jackson	Palsrok	Wojno
Cushingberry	Johnson	Pastor	Young

**Nays—0**

In The Chair: Sak

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

"An act to revise and consolidate the laws relating to worker's disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker's compensation system; to improve the qualifications of the persons having adjudicative functions within the worker's compensation system; to prescribe certain powers and duties; to create the board of worker's compensation magistrates and the worker's compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts,"

The House agreed to the full title.

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

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

### Second Reading of Bills

#### House Bill No. 6610, entitled

A bill to enter into the interstate compact to elect the president by national popular vote; and for related purposes.  
The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Tobocman moved that Rep. Jackson be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6610, entitled

A bill to enter into the interstate compact to elect the president by national popular vote; and for related purposes.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1094

#### Yeas—65

Accavitti	Constan	Hammel	Miller
Acciavatti	Corriveau	Hammon	Nitz
Agema	Coulouris	Hood	Pavlov
Amos	Cushingberry	Hoogendyk	Pearce
Angerer	Dean	Hopgood	Polidori
Ball	DeRoche	Horn	Proos
Bauer	Dillon	Johnson	Scott
Bennett	Donigan	Jones, Robert	Sheltrown
Bieda	Ebli	Lahti	Smith, Alma
Brown	Espinoza	Leland	Stakoe
Byrnes	Farrah	Lemmons	Tobocman
Byrum	Gaffney	Lindberg	Valentine
Casperson	Garfield	Mayer	Warren
Caul	Gillard	McDowell	Wenke
Cheeks	Gonzales	Melton	Wojno
Clack	Green	Meltzer	Young
Condino			

#### Nays—36

Booher	Huizenga	Moore	Sak
Brandenburg	Hune	Moss	Schuitmaker
Calley	Jones, Rick	Nofs	Shaffer
Caswell	Knollenberg	Opsommer	Sheen
Clemente	Law, David	Palmer	Simpson
Elsenheimer	LeBlanc	Palsrok	Spade
Emmons	Marleau	Pastor	Stahl

Griffin  
Hildenbrand

Meekhof  
Moolenaar

Robertson  
Rocca

Walker  
Ward

In The Chair: Sak

The House agreed to the title of the bill.

Reps. Acciavatti, Amos, Bauer, Brown, Gonzales, Hammel, Hammon, Hopgood, Horn, Johnson, Robert Jones, Lahti, Leland, Lemmons, Mayes, Sheltrown, Alma Smith and Warren were named co-sponsors of the bill.

### Second Reading of Bills

#### Senate Bill No. 1483, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8d and 9 (MCL 125.2688d and 125.2689), section 8d as amended by 2008 PA 117 and section 9 as amended by 2007 PA 186.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 7, line 15, after "(3)" by striking out the balance of the line through "DURING" on line 16 and inserting "During".

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

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

The motion prevailed.

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

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

Rep. Meekhof moved that Rep. Hoogendyk be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1483, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8d and 9 (MCL 125.2688d and 125.2689), section 8d as amended by 2008 PA 117 and section 9 as amended by 2007 PA 186.

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

#### Roll Call No. 1095

#### Yeas—100

Accavitti  
Acciavatti  
Agema  
Amos  
Angerer  
Ball  
Bauer  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown

Cushingberry  
Dean  
DeRoche  
Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Garfield

Jones, Rick  
Jones, Robert  
Knollenberg  
Lahti  
Law, David  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell

Pavlov  
Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown

Byrnes	Gillard	Meekhof	Simpson
Byrum	Gonzales	Melton	Smith, Alma
Calley	Green	Meltzer	Spade
Casperson	Griffin	Miller	Stahl
Caswell	Hammel	Moolenaar	Stakoe
Caul	Hammon	Moore	Tobocman
Cheeks	Hildenbrand	Moss	Valentine
Clack	Hood	Nitz	Walker
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Huizenga	Palmer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young

### Nays—0

In The Chair: Sak

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

“An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 1114**.

(For first notice see House Journal No. 92, p. 2999.)

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

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

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

### Second Reading of Bills

#### Senate Bill No. 1114, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356 (MCL 750.356), as amended by 1998 PA 311.

The bill was read a second time.

Rep. Brown moved to amend the bill as follows:

1. Amend page 4, line 25, after “effect” by striking out the balance of the enacting section and inserting “April 1, 2009.”.

2. Amend page 5, line 1, after “unless” by striking out the balance of the enacting section and inserting “all of the following bills of the 94th Legislature are enacted into law:

(a) Senate Bill No. 720.

(b) Senate Bill No. 1571.



(c) House Bill No. 5694.

(d) House Bill No. 6181.”.

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

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

The motion prevailed.

Rep. Tobocman 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. 1114, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356 (MCL 750.356), as amended by 1998 PA 311.

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

#### Roll Call No. 1096

#### Yeas—101

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	DeRoche	Jones, Robert	Pearce
Agema	Dillon	Knollenberg	Polidori
Amos	Donigan	Lahti	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Garfield	Mayes	Sheen
Brown	Gillard	McDowell	Sheltrown
Byrnes	Gonzales	Meekhof	Simpson
Byrum	Green	Melton	Smith, Alma
Calley	Griffin	Meltzer	Spade
Casperson	Hammel	Miller	Stahl
Caswell	Hammon	Moolenaar	Stakoe
Caul	Hildenbrand	Moore	Tobocman
Cheeks	Hood	Moss	Valentine
Clack	Hoogendyk	Nitz	Walker
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Huizenga	Palmer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry			

#### Nays—0

In The Chair: Sak

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 720**.

(For first notice see House Journal No. 92, p. 2999.)

The question being on the motion made by Rep. Tobocman,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### Senate Bill No. 720, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 1 and 2 (MCL 445.401 and 445.402), as amended by 2006 PA 675.

The bill was read a second time.

Rep. Brown moved to amend the bill as follows:

1. Amend page 4, line 20, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

- (a) Senate Bill No. 1114.
- (b) Senate Bill No. 1571.
- (c) House Bill No. 5694.
- (d) House Bill No. 6181.

Enacting section 2. This amendatory act takes effect April 1, 2009."

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

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

The motion prevailed.

Rep. Tobocman 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. 720, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 1 and 2 (MCL 445.401 and 445.402), as amended by 2006 PA 675.

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

#### Roll Call No. 1097

#### Yeas—101

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	DeRoche	Jones, Robert	Pearce
Agema	Dillon	Knollenberg	Polidori
Amos	Donigan	Lahti	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak

Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Garfield	Mayes	Sheen
Brown	Gillard	McDowell	Sheltrown
Byrnes	Gonzales	Meekhof	Simpson
Byrum	Green	Melton	Smith, Alma
Calley	Griffin	Meltzer	Spade
Casperson	Hammel	Miller	Stahl
Caswell	Hammon	Moolenaar	Stakoe
Caul	Hildenbrand	Moore	Tobocman
Cheeks	Hood	Moss	Valentine
Clack	Hoogendyk	Nitz	Walker
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Huizenga	Palmer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry			

### Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 1571**.

(For first notice see House Journal No. 92, p. 2999.)

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

The motion prevailed.

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

### Second Reading of Bills

#### **Senate Bill No. 1571, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

The bill was read a second time.

Rep. Brown moved to amend the bill as follows:

1. Amend page 2, line 2, after “Pub ord” by striking out “F” and inserting “E”.
2. Amend page 2, line 2, after “metal” by striking out “3” and inserting “5”.
3. Amend page 2, line 3, after “metal” by striking out the balance of the line through “jobsite” and inserting “- **SECOND OR SUBSEQUENT OFFENSE**”.
4. Amend page 4, line 1, after “unless” by striking out the balance of the enacting section and inserting “all of the following bills of the 94th Legislature are enacted into law:
  - (a) Senate Bill No. 720.
  - (b) Senate Bill No. 1114.

(c) House Bill No. 5694.

(d) House Bill No. 6181.

Enacting section 2. This amendatory act takes effect April 1, 2009.”.

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

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

The motion prevailed.

Rep. Tobocman 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. 1571, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

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

#### Roll Call No. 1098

#### Yeas—101

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	DeRoche	Jones, Robert	Pearce
Agema	Dillon	Knollenberg	Polidori
Amos	Donigan	Lahti	Proos
Angerer	Ebli	Law, David	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrar	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Garfield	Mayes	Sheen
Brown	Gillard	McDowell	Sheltrown
Byrnes	Gonzales	Meekhof	Simpson
Byrum	Green	Melton	Smith, Alma
Calley	Griffin	Meltzer	Spade
Casperson	Hammel	Miller	Stahl
Caswell	Hammon	Moolenaar	Stakoe
Caul	Hildenbrand	Moore	Tobocman
Cheeks	Hood	Moss	Valentine
Clack	Hoogendyk	Nitz	Walker
Clemente	Hopgood	Nofs	Ward
Condino	Horn	Opsommer	Warren
Constan	Huizenga	Palmer	Wenke
Corriveau	Hune	Palsrok	Wojno
Coulouris	Johnson	Pastor	Young
Cushingberry			

#### Nays—0

In The Chair: Sak

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. Tobocman moved that the bill be given immediate effect.

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

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Tobocman moved that the Committee on Banking and Financial Services be discharged from further consideration of **Senate Bill No. 1236**.

(For first notice see House Journal No. 92, p. 3000.)

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

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

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

### **Second Reading of Bills**

#### **Senate Bill No. 1236, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Coulouris moved to amend the bill as follows:

1. Amend page 16, line 5, after “effect” by striking out “30” and inserting “90”.

2. Amend page 16, line 8, after “unless” by striking out the balance of the enacting section and inserting “all of the following bills of the 94th Legislature are enacted into law:

(a) House Bill No. 5934.

(b) House Bill No. 5935.”.

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

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

The motion prevailed.

Rep. Tobocman 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. 1236, entitled**

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 9515, 9516, 9520, and 9521 (MCL 440.9515, 440.9516, 440.9520, and 440.9521), as added by 2000 PA 348; and to repeal acts and parts of acts.

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

**Roll Call No. 1099****Yeas—100**

Accavitti	Dean	Jones, Rick	Pavlov
Acciavatti	DeRoche	Jones, Robert	Pearce
Amos	Dillon	Knollenberg	Polidori
Angerer	Donigan	Lahti	Proos
Ball	Ebli	Law, David	Robertson
Bauer	Elsenheimer	LeBlanc	Rocca
Bennett	Emmons	Leland	Sak
Bieda	Espinoza	Lemmons	Schuitmaker
Booher	Farrah	Lindberg	Scott
Brandenburg	Gaffney	Marleau	Shaffer
Brown	Garfield	Mayes	Sheen
Byrnes	Gillard	McDowell	Sheltrown
Byrum	Gonzales	Meekhof	Simpson
Calley	Green	Melton	Smith, Alma
Casperson	Griffin	Meltzer	Spade
Caswell	Hammel	Miller	Stahl
Caul	Hammon	Moolenaar	Stakoe
Cheeks	Hildenbrand	Moore	Tobocman
Clack	Hood	Moss	Valentine
Clemente	Hoogendyk	Nitz	Walker
Condino	Hopgood	Nofs	Ward
Constan	Horn	Opsommer	Warren
Corriveau	Huizenga	Palmer	Wenke
Coulouris	Hune	Palsrok	Wojno
Cushingberry	Johnson	Pastor	Young

**Nays—0**

In The Chair: Sak

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

“An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Judiciary be discharged from further consideration of **Senate Bill No. 505**.

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

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

### Second Reading of Bills

#### **Senate Bill No. 505, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1 and 5o (MCL 28.421 and 28.425o), as amended by 2002 PA 719.

The bill was read a second time.

Rep. Mayes 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. Mayes moved to amend the bill as follows:

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

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 5969 of the 94th Legislature is enacted into law."

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

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

The motion prevailed.

Rep. Tobocman 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. 505, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1 and 5o (MCL 28.421 and 28.425o), as amended by 2002 PA 719.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### Second Reading of Bills

#### **House Bill No. 4665, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Transportation,

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

The motion prevailed.



By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 5518**.

The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### **Second Reading of Bills**

#### **House Bill No. 5518, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 208c, 303, 307, 310, 314, 811, and 812 (MCL 257.40b, 257.208c, 257.303, 257.307, 257.310, 257.314, 257.811, and 257.812), section 40b as added by 1997 PA 100, section 208c as amended by 2004 PA 362, sections 303, 307, and 314 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 811 as amended by 2006 PA 589, and section 812 as amended by 2005 PA 142, and by adding sections 30c, 310f, and 310g.

The bill was read a second time.

Reps. Scott, Cushingberry, Cheeks, Hood, Hopgood, Condino, Young, Robert Jones, Dean and Gonzales moved to substitute (H-4) the bill.

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

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 19, line 27, after "of" by striking out "\$5.75" and inserting "**\$8.00**".

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

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

The motion prevailed.

Rep. Tobocman 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. 5518, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 40b, 208c, 303, 307, 310, 314, 811, and 812 (MCL 257.40b, 257.208c, 257.303, 257.307, 257.310, 257.314, 257.811, and 257.812), section 40b as added by 1997 PA 100, section 208c as amended by 2004 PA 362, sections 303, 307, and 314 as amended by 2006 PA 298, section 310 as amended by 2005 PA 141, section 811 as amended by 2006 PA 589, and section 812 as amended by 2005 PA 142, and by adding sections 30c, 310f, and 310g.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Hammel moved to amend the bill as follows:

1. Amend page 29, line 10, after "**TREASURY**" by striking out the balance of the subsection and inserting a period and "**OF THE ASSESSMENT REVENUE COLLECTED UNDER THIS SUBSECTION, THE STATE TREASURER SHALL CREDIT \$8,500,000.00 TO THE FIRE PROTECTION FUND CREATED IN SECTION 732A OF THE MOTOR VEHICLE CODE, 1949 PA 300, MCL 257.732A, AND ANY REVENUE COLLECTED IN EXCESS OF \$8,500,000.00 SHALL BE CREDITED TO THE GENERAL FUND. AN ASSESSMENT LEVIED UNDER THIS SUBSECTION IS NOT A CIVIL FINE FOR PURPOSES OF SECTION 909.**".

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

The question being on the passage of the bill,

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

The motion prevailed.



By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Tobocman moved that Rule 42 be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Tourism, Outdoor Recreation and Natural Resources be discharged from further consideration of **Senate Bill No. 1085**.  
 The motion prevailed, a majority of the members serving voting therefor.  
 The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **Senate Bill No. 1085, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

The bill was read a second time.

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5741 of the 94th Legislature is enacted into law."

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

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

The motion prevailed.

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

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

Rep. Tobocman moved that Rep. Cheeks be excused temporarily from today's session.  
 The motion prevailed.

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

#### **Senate Bill No. 1085, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40107a (MCL 324.40107a), as amended by 2003 PA 242.

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

#### **Roll Call No. 1100**

#### **Yeas—96**

Accavitti	Dillon	Jones, Robert	Pearce
Acciavatti	Donigan	Knollenberg	Polidori
Agema	Ebli	Lahti	Proos
Amos	Elsenheimer	Law, David	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheen

Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Melton	Smith, Alma
Calley	Hammel	Meltzer	Spade
Casperson	Hammon	Miller	Stahl
Caswell	Hildenbrand	Moore	Stakoe
Caul	Hood	Moss	Tobocman
Clack	Hoogendyk	Nitz	Valentine
Clemente	Hopgood	Nofs	Walker
Constan	Horn	Opsommer	Ward
Corriveau	Huizenga	Palmer	Warren
Coulouris	Hune	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

#### Nays—4

Booher	Condino	DeRoche	Moolenaar
--------	---------	---------	-----------

In The Chair: Sak

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

“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,”

The House agreed to the full title.

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

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

#### Second Reading of Bills

##### House Bill No. 5345, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

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

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

Rep. Sak moved to substitute (H-11) the bill.

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

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

The motion prevailed.

Rep. Tobocman 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. 5345, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

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

**Roll Call No. 1101****Yeas—72**

Accavitti	Corriveau	Horn	Pearce
Acciavatti	Coulouris	Johnson	Polidori
Angerer	Cushingberry	Jones, Robert	Proos
Ball	Dean	Lahti	Sak
Bauer	Dillon	LeBlanc	Schuitmaker
Bennett	Donigan	Leland	Scott
Bieda	Ebli	Lemmons	Shaffer
Booher	Emmons	Lindberg	Sheltrown
Brown	Espinoza	Mayer	Simpson
Byrnes	Farrah	McDowell	Smith, Alma
Byrum	Gillard	Melton	Spade
Casperson	Gonzales	Miller	Stahl
Caswell	Griffin	Moolenaar	Stakoe
Caul	Hammel	Moore	Tobocman
Clack	Hammon	Nitz	Valentine
Clemente	Hildenbrand	Nofs	Warren
Condino	Hood	Opsommer	Wojno
Constan	Hopgood	Palsrok	Young

**Nays—28**

Agema	Garfield	Law, David	Pavlov
Amos	Green	Marleau	Robertson
Brandenburg	Hoogendyk	Meekhof	Rocca
Calley	Huizenga	Meltzer	Sheen
DeRoche	Hune	Moss	Walker
Elsenheimer	Jones, Rick	Palmer	Ward
Gaffney	Knollenberg	Pastor	Wenke

In The Chair: Sak

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

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

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

The motion prevailed.

The House agreed to the title as amended.

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

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

**Second Reading of Bills****House Bill No. 6007, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 6007, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50b (MCL 750.50b), as amended by 1996 PA 80.

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

**Roll Call No. 1102**

**Yeas—86**

Accavitti	Cushingberry	Johnson	Pavlov
Acciavatti	Dean	Jones, Rick	Pearce
Amos	DeRoche	Jones, Robert	Polidori
Angerer	Dillon	Knollenberg	Proos
Ball	Donigan	Law, David	Robertson
Bauer	Ebli	LeBlanc	Rocca
Bieda	Elsenheimer	Leland	Sak
Booher	Emmons	Lemmons	Schuitmaker
Brandenburg	Espinoza	Marleau	Scott
Brown	Farrah	Mayes	Shaffer
Byrnes	Gaffney	Melton	Sheltrown
Byrum	Garfield	Meltzer	Simpson
Calley	Gillard	Miller	Smith, Alma
Casperson	Gonzales	Moolenaar	Spade
Caswell	Griffin	Moore	Tobocman
Caul	Hammel	Moss	Valentine
Clack	Hammon	Nitz	Ward
Clemente	Hildenbrand	Nofs	Warren
Condino	Hopgood	Opsommer	Wenke
Constan	Horn	Palsrok	Wojno
Corriveau	Huizenga	Pastor	Young
Coulouris	Hune		

**Nays—14**

Agema	Hoogendyk	Meekhof	Stahl
Bennett	Lahti	Palmer	Stakoe
Green	Lindberg	Sheen	Walker
Hood	McDowell		

In The Chair: Sak

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

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

"Mr. Speaker and members of the House:

I love animals, but I find it's amazing we can put in people for longer terms in jail for kicking an animal than harming an individual. It's increased fines and fees- more money for the state."

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

“Mr. Speaker and members of the House:

I respectfully decline to vote for another piece of legislation that seeks to raise more revenue by increasing fines and penalties, particularly one that addresses the harsh treatment of animals in a tougher manner than harsh treatment of human beings, particularly the unborn.

Courts are capable of determining whether the evaluation for counseling is warranted. With scarce resources, judgment as to the need in individual cases should continue. Further, the penalty is clearly disproportionate to other crimes against persons; Michigan has no 8-year felony.”

### Second Reading of Bills

#### House Bill No. 6643, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as added by 2007 PA 95.

The bill was read a second time.

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

The motion prevailed.

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

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

---

Rep. Tobocman moved that Rep. Condino be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6643, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending section 68c (MCL 38.68c), as added by 2007 PA 95.

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

#### Roll Call No. 1103

#### Yeas—96

Accavitti	Dean	Johnson	Pavlov
Acciavatti	DeRoche	Jones, Rick	Pearce
Agema	Dillon	Jones, Robert	Polidori
Amos	Donigan	Knollenberg	Proos
Angerer	Ebli	Lahti	Robertson
Ball	Elsenheimer	Law, David	Rocca
Bauer	Emmons	LeBlanc	Sak
Bennett	Espinoza	Leland	Schuitmaker
Bieda	Farrah	Lemmons	Scott
Booher	Gaffney	Lindberg	Shaffer
Brandenburg	Garfield	Marleau	Sheen
Brown	Gillard	Mayes	Sheltrown
Byrnes	Gonzales	McDowell	Simpson
Byrum	Green	Meekhof	Smith, Alma
Calley	Griffin	Melton	Spade
Casperson	Hammel	Miller	Stahl
Caswell	Hammon	Moolenaar	Stakoe
Caul	Hildenbrand	Moore	Tobocman

Clack	Hood	Moss	Valentine
Clemente	Hoogendyk	Nitz	Walker
Constan	Hopgood	Nofs	Ward
Corriveau	Horn	Opsommer	Warren
Coulouris	Huizenga	Palsrok	Wojno
Cushingberry	Hune	Pastor	Young

### Nays—3

Meltzer	Palmer	Wenke
---------	--------	-------

In The Chair: Sak

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Judiciary be discharged from further consideration of **House Bill No. 6641**.

The motion prevailed, a majority of the members serving voting therefor.  
 The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### House Bill No. 6641, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by repealing section 5a (MCL 791.205a), as added by 1996 PA 140.

The bill was read a second time.

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

The motion prevailed.  
 Rep. Tobocman 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. 6641, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by repealing section 5a (MCL 791.205a), as added by 1996 PA 140.

The bill was read a third time.  
 The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.  
 The motion prevailed.

The House returned to the consideration of  
**Senate Bill No. 505, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending sections 1 and 5o (MCL 28.421 and 28.425o), as amended by 2002 PA 719.

(The bill was considered earlier today, see today’s Journal, p. 3083.)

The question being on the passage of the bill,

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 3, line 24, after “**RETIRED**” by inserting a comma and “**OR A RETIRED JUDGE OF THE RECORDERS COURT**”.

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

The question being on the passage of the bill,

Rep. Sheltroun moved to amend the bill as follows:

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

“(J) A COACH WHO SERVED AS A FOOTBALL COACH FOR THE DETROIT LIONS FOOTBALL TEAM ON OR AFTER 1957.”.

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

The question being on the passage of the bill,

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

**Roll Call No. 1104**

**Yeas—80**

Accavitti	DeRoche	Jones, Robert	Pastor
Acciavatti	Dillon	Knollenberg	Pavlov
Agema	Ebli	Law, David	Pearce
Amos	Elsenheimer	LeBlanc	Polidori
Angerer	Emmons	Leland	Proos
Booher	Espinoza	Lemmons	Robertson
Brandenburg	Farrah	Marleau	Rocca
Brown	Gaffney	Mayes	Sak
Byrum	Garfield	McDowell	Schuitmaker
Calley	Gillard	Meekhof	Shaffer
Casperson	Green	Meltzer	Sheen
Caswell	Griffin	Miller	Sheltroun
Caul	Hildenbrand	Moolenaar	Simpson
Clack	Hood	Moore	Spade
Clemente	Hoogendyk	Moss	Stahl
Constan	Hopgood	Nitz	Stakoe
Corriveau	Horn	Nofs	Walker
Coulouris	Huizenga	Opsommer	Ward
Cushingberry	Hune	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno

**Nays—18**

Ball	Donigan	Lahti	Tobocman
Bauer	Gonzales	Lindberg	Valentine
Bennett	Hammel	Melton	Warren

Bieda  
Byrnes

Hammon  
Johnson

Smith, Alma

Young

In The Chair: Sak

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

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

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 1 and 5o (MCL 28.421 and 28.425o), section 1 as amended by 2002 PA 719 and section 5o as amended by 2008 PA 194.

The motion prevailed.

The House agreed to the title as amended.

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

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

---

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

"Mr. Speaker and members of the House:

I voted 'no' on SB 505 (H-3) for the simple reason that we should consider the usefulness of a weapons free-zone when we allow exceptions. Perhaps the better approach would be to review the entire concept of weapons free zones rather than allow specific exceptions."

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

#### **House Concurrent Resolution No. 104.**

A concurrent resolution to authorize construction and establish the total project cost of the Health Sciences Facility project at Saginaw Valley State University.

(The concurrent resolution was adopted on December 11, see today's Journal, p. 3027.)

Rep. Tobocman moved to reconsider the vote by which the House adopted the concurrent resolution.

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

The question being on the adoption of the concurrent resolution,

Rep. Hood moved to substitute (H-2) the concurrent resolution as follows:

**THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.**

#### **Substitute for House Concurrent Resolution No. 104.**

A concurrent resolution to authorize construction and establish the total project cost of the Health Sciences Facility project at Saginaw Valley State University.

Whereas, The Saginaw Valley State University Health Sciences Facility project was authorized for planning as a state project in 2008 PA 278; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to authorize construction and establish the total authorized cost to construct the Saginaw Valley State University



Health Sciences Facility project at an amount not to exceed \$28,000,000 (State Building Authority share \$20,999,900; State General Fund/General Purpose share \$100; Saginaw Valley State University share \$7,000,000); that the respective financing shares may be adjusted based upon the State Building Authority's ability to finance the state share up to an amount not to exceed \$20,999,900; and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, the State Building Authority, and Saginaw Valley State University.

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Education be discharged from further consideration of **House Bill No. 4141**.

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

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

### Second Reading of Bills

#### House Bill No. 4141, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 4141, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 2003 PA 299.

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

#### Roll Call No. 1105

#### Yeas—71

Accavitti	Coulouris	Huizenga	Polidori
Agema	Cushingberry	Johnson	Proos
Angerer	Dean	Jones, Rick	Rocca
Ball	Dillon	Jones, Robert	Sak
Bauer	Donigan	Lahti	Schuitmaker
Bennett	Ebli	LeBlanc	Scott
Bieda	Emmons	Leland	Shaffer
Booher	Espinoza	Lemmons	Sheltrown
Brown	Farrah	Lindberg	Simpson
Byrnes	Gaffney	Mays	Smith, Alma
Byrum	Gillard	McDowell	Spade
Casperson	Gonzales	Meekhof	Stakoe

Caul	Green	Melton	Tobocman
Clack	Griffin	Miller	Valentine
Clemente	Hammel	Opsommer	Warren
Condino	Hammon	Pastor	Wojno
Constan	Hood	Pavlov	Young
Corriveau	Hopgood	Pearce	

### Nays—28

Acciavatti	Hildenbrand	Meltzer	Palsrok
Amos	Hoogendyk	Moolenaar	Robertson
Brandenburg	Horn	Moore	Sheen
Calley	Hune	Moss	Stahl
Caswell	Knollenberg	Nitz	Walker
DeRoche	Law, David	Nofs	Ward
Elsenheimer	Marleau	Palmer	Wenke

In The Chair: Sak

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Thursday, December 18, at 10:00 a.m.

The motion prevailed.

Rep. Young offered the following resolution:

#### House Resolution No. 514.

A resolution to urge the Michigan Department of Community Health to take further actions to address racial and ethnic health disparities and to fulfill responsibilities provided in 2006 PA 653.

Whereas, Racial and ethnic populations in Michigan remain disproportionately affected by preventable illness and chronic disease. These disparities exist in all areas, including infant mortality, cancer, diabetes, and cardiovascular health, as well as numerous other areas; and

Whereas, In 2006, the Michigan Legislature enacted PA 653 to require the Department of Community Health to take specific actions to address racial and ethnic health disparities in this state and to issue an annual report on the impact of the law. The department's Health Disparities Report to the Michigan Legislature issued in 2007 identifies steps that were taken by the department to address health disparities while also acknowledging that fiscal and staff limitations as well as departmental "cross-divisional" responsibilities have impeded real progress; and

Whereas, Action must be taken by the Department of Community Health to implement a minority health policy that is aimed at reducing the incidence and prevalence of diseases that lead to premature mortality rates in minority populations in Michigan. To more aggressively pursue this mission, the department must:

—Complete the development of a long range statewide strategic plan for the reduction of racial and ethnic health disparities in this state;

—Seek to partner with county health departments, community groups, minority health coalitions, and private sector entities on the development of specific interventions and on the development of an appropriate health promotion and disease management program; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan Department of Community Health to take further action to address racial and ethnic health disparities and fulfill their responsibilities under 2006 PA 653; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and to the Director of the Michigan Department of Community Health.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 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.

Reps. Condino, Bieda, Ebli, Lemmons, Brown, Espinoza, Lahti, Lindberg, Vagnozzi, Constan, Miller, Cushingberry, Simpson, Coulouris, Clemente, Griffin, Meadows, Hammon, Alma Smith, Sheltroun, Polidori, Stahl, Melton, Accavitti, Ball, Bennett, Booher, Brandenburg, Caul, Clack, Dean, Garfield, Gonzales, Green, Hansen, Hopgood, Huizenga, Rick Jones, Robert Jones, David Law, LeBlanc, Leland, Marleau, Moss, Nitz, Palmer, Pastor, Pavlov, Pearce, Proos, Sak, Shaffer, Spade, Tobocman, Valentine and Walker offered the following resolution:

**House Resolution No. 515.**

A resolution to recognize and honor Charlie Sanders, the greatest Detroit Lions tight end ever, for his induction into the Pro Football Hall of Fame.

Whereas, Football's great common denominator resides in the statistics that surround and define achievement; and

Whereas, Charlie Sanders was a two-time All-Pro, and he went to seven Pro Bowl games. Charlie scored 31 career touchdowns and he ended his career with 336 receptions, a team record that lasted 20 years; and

Whereas, Charlie Sanders is a man with all the ingredients for greatness and the personal class that melded so well with his enormous talent and determination. His presenter at the induction ceremony, Detroit Lions owner William Clay Ford noted that "his mere presence and being so dedicated to football rubs off on everything"; and

Whereas, Sanders, who gave his all every time he stepped onto the field and played with all his heart, was voted into the Pro Football Hall of Fame on February 3, 2007, by a 40 member seniors committee board of the Pro Football Writers Association of America. On August 4, 2007, he was inducted into the Hall of Fame along with five other National Football League greats; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and honor inductee Charlie Sanders of the Pro Football Hall of Fame Class of 2007; and be it further

Resolved, That we encourage all citizens to recognize and applaud Charlie Sanders.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 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.

### Messages from the Senate

**Senate Bill No. 651, entitled**

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending section 13 (MCL 408.763), as amended by 1986 PA 277.

The Senate has passed the bill.

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

**Senate Bill No. 861, entitled**

A bill to authorize the creation of promise zones and implementation of promise zone development plans; to provide for the creation of promise zone authorities; to prescribe the powers and duties of promise zone authorities; to provide for the capture and disbursement of certain tax revenue; to prescribe powers and duties of certain state and local officials; 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 Education.

**Senate Bill No. 1020, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 426.

The Senate has passed the bill.

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

**Senate Bill No. 1104, entitled**

A bill to make and supplement appropriations for the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide certain conditions on appropriations; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has passed the bill.

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

**Senate Bill No. 1375, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10 and 11 (MCL 247.660 and 247.661), section 10 as amended by 2007 PA 210 and section 11 as amended by 2002 PA 639.

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. 1392, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14h of chapter XVII (MCL 777.14h), as amended by 2008 PA 65.

The Senate has passed the bill.

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

**Senate Bill No. 1394, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," by amending section 2 (MCL 445.572), as amended by 1998 PA 473.

The Senate has passed the bill.

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

**Senate Bill No. 1532, entitled**

A bill to amend 1976 IL 1, entitled "A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies," (MCL 445.571 to 445.576) by adding section 2a.

The Senate has passed the bill.

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

**Senate Bill No. 1630, entitled**

A bill to create and provide for the incorporation of certain regional convention facility authorities; to provide for the membership of the authorities; to provide for the powers and duties of the authorities; to provide for the conveyance of ownership of and operational jurisdiction over certain convention facilities to authorities and to provide for the transfer of certain real and personal property utilized as convention facilities to authorities; to provide for the assumption of certain contracts, bonds, notes, and other evidences of indebtedness and liabilities related to convention facilities by authorities; to authorize the creation of certain funds; to authorize expenditures from the funds; to finance the acquisition of land and the development of certain convention facilities and of public improvements or related facilities; to authorize the establishment of certain sales-tax-free zones; to provide for the issuance of bonds and notes; to authorize certain investments; to provide for the transfer of public employees to the employment of authorities; to provide for the allocation of liabilities related to employee benefits; to protect certain rights of local government employees; and to impose certain powers and duties upon state and local departments, agencies, and officers.

The Senate has passed the bill.

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

**Senate Bill No. 1631, entitled**

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending sections 9 and 20 (MCL 207.629 and 207.640), section 9 as amended by 2007 PA 72.

The Senate has passed the bill.

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

**Senate Bill No. 1632, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1207 (MCL 436.2207).

The Senate has passed the bill.

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

**Senate Bill No. 1633, entitled**

A bill to amend 1987 PA 264, entitled "Health and safety fund act," by amending sections 3 and 5 (MCL 141.473 and 141.475), as amended by 1998 PA 529.

The Senate has passed the bill.

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

**Senate Bill No. 1648, entitled**

A bill to provide state payments to reverse vending machine manufacturers for the cost of retrofitting certain reverse vending machines; to provide money to certain dealers for the purchase of certain new reverse vending machines; to create the beverage container redemption antifraud fund; and to provide for the powers and duties of certain state governmental officers and entities.

The Senate has passed the bill.

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

**Senate Bill No. 1666, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3208, 3216, and 3240 (MCL 600.3208, 600.3216, and 600.3240), section 3240 as amended by 2006 PA 579.

The Senate has passed the bill.

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

**Notices**

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **House Bill No. 4575**.

Rep. DeRoche

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Banking and Financial Services from further consideration of **Senate Bill No. 1020**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **Senate Bill No. 1648**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **Senate Bill No. 1532**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **Senate Bill No. 1392**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **Senate Bill No. 1394**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **Senate Bill No. 1630**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **Senate Bill No. 1631**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **Senate Bill No. 1632**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **Senate Bill No. 1633**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 1104**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 861**.

Rep. Tobocman

---

Rep. Byrnes moved that the House adjourn.  
The motion prevailed, the time being 9:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 18, at 10:00 a.m.

RICHARD J. BROWN  
Clerk of the House of Representatives