

No. 27  
STATE OF MICHIGAN  
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OF THE  
**House of Representatives**  
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REGULAR SESSION OF 2008

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House Chamber, Lansing, Tuesday, March 18, 2008.

1:30 p.m.

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

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

Accavitti—present	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—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	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—present	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—present	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. Robert Dean, from the 75th District, offered the following invocation:

“‘Thy face, Lord, will I seek.’ –Ps. 27:8.

Heavenly Father, before entering fully upon the duties of this new day, we would bow before Thee and join our hearts and our voices in prayer. We pray Thee, that we may be truly conscious of Thy presence with us as we begin this day.

Help us to know, in all the work of this day, that the still small voice that speaks within us and calls us to the best things, is the voice of God; that the power that tugs at our hearts is the hand of God; and that the light that falls upon our pathway, directing us in the right way, is the light and the love of our Father, God. So may we walk this day with Thee, as Thy Holy Spirit guides us, and as we have been taught by Thy Son, our Saviour, Jesus Christ the Righteous.

We give Thee the love and gratitude of our hearts for all the blessings we enjoy. Take each one of us now, dear Father, into Thy loving care as we go forth to the duties of this day. May our lives be a benediction and blessing to all who need us. Lead us ever, we pray Thee, in the way Thou wouldst have us to go, and when the journey is done, gather us all home at last; in the name of Jesus Christ. Amen.”

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

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, March 13:

**Senate Bill Nos. 1208 1209 1210 1211 1212**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, March 14:

**House Bill Nos. 5889 5890 5891 5892 5893 5894 5895 5896 5897 5898 5899 5900 5901 5902  
5903**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, March 18, for her approval of the following bills:

**Enrolled House Bill No. 5184 at 9:52 a.m.**

**Enrolled House Bill No. 5319 at 9:54 a.m.**

The Clerk announced that the following Senate bill had been received on Tuesday, March 18:

**Senate Bill No. 1157**

#### Reports of Standing Committees

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1135, entitled**

A bill to provide for the establishment of zoological authorities; to provide powers and duties of a zoological authority; to authorize the levy of a property tax by a zoological authority; and to provide for the powers and duties of certain government officials.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe and Meltzer

Nays: Rep. Knollenberg

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1173, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 457. 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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1174, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2007 PA 62.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1176, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 459. 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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1177, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 2A; and to repeal acts and parts of acts.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1178, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 125.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

**Senate Bill No. 1183, entitled**

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending section 2 (MCL 399.702), as amended by 2002 PA 508.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2008

Present: Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Dean, Griffin, Johnson, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Absent: Rep. Coulouris

Excused: Rep. Coulouris

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

**House Bill No. 5127, entitled**

A bill to prohibit certain units of government from establishing the ownership of real property as a qualification for public office; and to provide remedies.

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. Corriveau, Clemente, Bieda, Donigan, Hammon, Pearce and Wenke

Nays: None

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

**House Resolution No. 304.**

A resolution to oppose the expenditure of any public funds for the purpose of clarifying or repeating any portion of the results of the Michigan presidential primary election conducted on January 15, 2008.

(For text of resolution, see House Journal No. 26, p. 503.)

With the recommendation that the following amendment be adopted and that the resolution then be adopted.

1. Amend the fourth Whereas clause, line 2, after "state" by inserting "or local government".

The resolution and amendment were laid over one day under the rules.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Corriveau, Clemente, Bieda, Donigan, Hammon, Warren and Wenke

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Tuesday, March 18, 2008

Present: Reps. Corriveau, Clemente, Bieda, Donigan, Hammon, Warren, Pearce and Wenke

Absent: Rep. Ward

Excused: Rep. Ward

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

#### **House Bill No. 4662, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1147 and 1561 (MCL 380.1147 and 380.1561), section 1561 as amended by 1996 PA 339.

With the recommendation that the substitute (H-5)\* 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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori and Pearce

Nays: Reps. Moolenaar, Emmons, Hoogendyk, Steil, Schuitmaker, Knollenberg, Opsommer and Pavlov

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2008

Present: Reps. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Schuitmaker, Knollenberg, Opsommer and Pavlov

Absent: Rep. Scott

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

#### **House Bill No. 5531, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 32d (MCL 388.1611 and 388.1632d), as amended by 2007 PA 137.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade and Vagnozzi

Nays: None

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2008

Present: Reps. Miller, Meadows, Bieda, Constan, Hopgood, Lindberg, Wenke, LaJoy, Steil and Rick Jones

Absent: Rep. Farrah

Excused: Rep. Farrah

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Virgil Smith, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca

Absent: Reps. Meisner, Scott and Warren

### Messages from the Governor

Date: March 13, 2008

Time: 6:21 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4940 (Public Act No. 39, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending the heading of part 101 and sections 10101, 10102, 10103, 10104, 10105, 10106, 10107, 10108, 10109, 10204, and 20165 (MCL 333.10101, 333.10102, 333.10103, 333.10104, 333.10105, 333.10106, 333.10107, 333.10108, 333.10109, 333.10204, and 333.20165), section 10102 as amended by 2003 PA 62, section 10104 as amended by 2005 PA 140, section 10108 as amended by 2006 PA 301, section 10204 as amended by 1999 PA 60, and section 20165 as amended by 1998 PA 108, and by adding sections 10110, 10111, 10112, 10113, 10114, 10115, 10116, 10117, 10118, 10119, 10120, 10121, 10122, and 10123; and to repeal acts and parts of acts.

(Filed with the Secretary of State March 17, 2008, at 1:08 p.m.)

Date: March 13, 2008

Time: 6:23 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4941 (Public Act No. 40, I.E.), being**

An act to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 2 (MCL 28.292), as amended by 2005 PA 143.

(Filed with the Secretary of State March 17, 2008, at 1:10 p.m.)

Date: March 13, 2008  
Time: 6:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4945 (Public Act No. 41, I.E.), being**

An act to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” by amending sections 3206, 5506, 5507, 5508, and 5510 (MCL 700.3206, 700.5506, 700.5507, 700.5508, and 700.5510), section 3206 as added by 2006 PA 299 and sections 5506, 5507, 5508, and 5510 as amended by 2004 PA 532.

(Filed with the Secretary of State March 17, 2008, at 1:12 p.m.)

### Communications from State Officers

The following communication from the Department of State Police was received and read:

March 4, 2008

I am pleased to submit the 2006-2007 Concealed Pistol License Annual Report as required by Public Act 372 of 1927, as amended. This report details the concealed pistol license activity between July 1, 2006 and June 30, 2007.

The revised laws regarding concealed pistol licensure went into effect on July 1, 2001. Below is a summary of the activity since that date.

Year	Applications Received	Total Approved	# of criminal Violations
2001-2002	62,902	53,000	92
2002-2003	29,914	27,499	221
2003-2004	35,585	31,121	398
2004-2005	58,366	54,677	403
2005-2006	40,238	36,754	548
2006-2007	22,403	23,790	938

Sincerely,  
Peter C. Munoz  
DIRECTOR

The communication was referred to the Clerk.

The following communication from the Michigan Strategic Fund was received and read:

March 12, 2008

On May 8, 2007, the Strategic Fund Board of Directors (the “MSF Board”) approved the creation of the Choose Michigan Fund. Subsequent to this board meeting, it became necessary to transfer funds from the 21st Century Jobs Fund to assist in the State of Michigan’s budget balancing efforts. Consequently, the Choose Michigan Fund was placed on hold until the new fiscal year’s appropriation was received. The MSF Board has since requested that the state treasurer transfer \$18.75 million for Fiscal Year 2007-2008 from the 21st Century Jobs Trust Fund to the MSF to capitalize the Choose Michigan Fund.

Consistent with the requirements of Section 88(c)(5) of the Michigan Strategic Fund (“MSF”) Act, MCL 125.2088c(5), I am writing to provide you with the MSF Decision Document, Final Resolution of the MSF Board (the “Resolution”) and attachments to the Resolution for the Choose Michigan Fund. As you will note, the Choose Michigan Fund was created within the loan enhancement program and will: (i) provide increased willingness of banks and other financial institutions to provide debt financing to companies, (ii) improve companies’ debt service coverage and (iii) enhance the ability of companies to repay debt financing provided by banks and other financial institutions.

Sincerely,  
James C. Epolito, President and Chair  
Michigan Strategic Fund

The communication was referred to the Clerk.



Rep. LaJoy moved that Rep. David Law be excused temporarily from today's session.  
The motion prevailed.

Rep. Meekhof moved that Reps. Elsenheimer and Knollenberg be excused temporarily from today's session.  
The motion prevailed.

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

The Speaker laid before the House  
**House Bill No. 4763, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5453 (MCL 333.5453), as amended by 2002 PA 644.

(The bill was received from the Senate on March 11, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 12, see House Journal No. 24, p. 442.)

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. 177****Yeas—107**

Accavitti	DeRoche	Lahti	Polidori
Acciavatti	Dillon	LaJoy	Proos
Agema	Donigan	Law, Kathleen	Robertson
Amos	Ebli	LeBlanc	Rocca
Angerer	Emmons	Leland	Sak
Ball	Espinoza	Lemmons	Schuitmaker
Bauer	Farrah	Lindberg	Scott
Bennett	Gaffney	Marleau	Shaffer
Bieda	Garfield	Mayes	Sheen
Booher	Gillard	McDowell	Sheltrown
Brandenburg	Gonzales	Meadows	Simpson
Brown	Green	Meekhof	Smith, Alma
Byrnes	Griffin	Meisner	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**



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. 4868, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 4q and 4r (MCL 117.4q and 117.4r), section 4q as added by 2003 PA 316 and section 4r as added by 2003 PA 317.

(The bill was received from the Senate on March 13, 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. 26, p. 506.)

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. 178**

**Yeas—93**

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

**Nays—15**

Agema	Garfield	Hune	Robertson
Brandenburg	Green	Meekhof	Sheen
Calley	Hoogendyk	Meltzer	Stahl
Casperson	Huizenga	Palmer	

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.

### Second Reading of Bills

#### House Bill No. 5526, 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.

The bill was read a second time.

Rep. Angerer 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. 5526, 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. 179

#### Yeas—107

Accavitti	DeRoche	Knollenberg	Polidori
Acciavatti	Dillon	Lahti	Proos
Agema	Donigan	LaJoy	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	Mayes	Sheltrown
Brandenburg	Gillard	McDowell	Simpson
Brown	Gonzales	Meadows	Smith, Alma
Byrnes	Green	Meekhof	Smith, Virgil
Byrum	Griffin	Meisner	Spade
Calley	Hammel	Melton	Stahl
Casperson	Hammon	Meltzer	Stakoe
Caswell	Hansen	Miller	Steil
Caul	Hildenbrand	Moolenaar	Tobocman
Cheeks	Hood	Moore	Vagnozzi
Clack	Hopgood	Moss	Valentine
Clemente	Horn	Nitz	Walker
Condino	Huizenga	Nofs	Ward
Constan	Hune	Opsommer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young
Dean	Jones, Robert	Pearce	

#### Nays—2

Hoogendyk

Palmer

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.

### Second Reading of Bills

#### House Bill No. 5528, entitled

A bill to establish the autism research 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. Ball 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. 5528, entitled

A bill to establish the autism research 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:

#### Roll Call No. 180

#### Yeas—108

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	Knollenberg	Polidori
Agema	Donigan	Lahti	Proos
Amos	Ebli	LaJoy	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	Mayes	Sheltrown
Brown	Gonzales	McDowell	Simpson
Byrnes	Green	Meadows	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palsrok	Wenke
Cushingberry	Johnson	Pastor	Wojno
Dean	Jones, Rick	Pavlov	Young

**Nays—1**

Palmer

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.

**Second Reading of Bills****House Bill No. 5675, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 404a.

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

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

Rep. Virgil 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.

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Rep. Warren moved that Rep. Alma 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****House Bill No. 5675, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 404a.

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

**Roll Call No. 181****Yeas—88**

Accavitti	DeRoche	Jones, Robert	Pearce
Acciavatti	Dillon	LaJoy	Polidori
Amos	Donigan	Law, Kathleen	Proos
Angerer	Ebli	LeBlanc	Robertson
Ball	Elsenheimer	Leland	Sak
Bauer	Emmons	Lemmons	Schuitmaker
Bennett	Espinoza	Marleau	Scott
Bieda	Farrah	Mayer	Shaffer
Brown	Gaffney	McDowell	Sheltrown
Byrnes	Gillard	Meadows	Simpson
Byrum	Gonzales	Meisner	Smith, Virgil

Calley	Griffin	Melton	Spade
Caul	Hammel	Miller	Stahl
Cheeks	Hammon	Moolenaar	Stakoe
Clack	Hansen	Moore	Tobocman
Clemente	Hildenbrand	Moss	Vagnozzi
Condino	Hood	Nitz	Valentine
Constan	Hopgood	Nofs	Ward
Corriveau	Horn	Opsommer	Warren
Coulouris	Hune	Palmer	Wenke
Cushingberry	Jackson	Palsrok	Wojno
Dean	Johnson	Pavlov	Young

**Nays—20**

Agema	Garfield	Knollenberg	Pastor
Booher	Green	Lahti	Rocca
Brandenburg	Hoogendyk	Lindberg	Sheen
Casperson	Huizenga	Meekhof	Steil
Caswell	Jones, Rick	Meltzer	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.

**Second Reading of Bills****Senate Bill No. 82, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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. 82, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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

**Roll Call No. 182****Yeas—99**

Accavitti	Dean	Knollenberg	Polidori
Acciavatti	DeRoche	Lahti	Proos
Amos	Dillon	LaJoy	Robertson

Angerer	Donigan	Law, Kathleen	Rocca
Ball	Ebli	LeBlanc	Sak
Bauer	Emmons	Leland	Schuitmaker
Bennett	Espinoza	Lemmons	Scott
Bieda	Farrah	Lindberg	Shaffer
Booher	Gaffney	Marleau	Sheltrown
Brandenburg	Gillard	Mayes	Simpson
Brown	Gonzales	McDowell	Smith, Virgil
Byrnes	Green	Meadows	Spade
Byrum	Griffin	Meekhof	Stahl
Calley	Hammel	Meisner	Stakoe
Casperson	Hammon	Melton	Steil
Caswell	Hansen	Meltzer	Tobocman
Caul	Hildenbrand	Miller	Vagnozzi
Cheeks	Hood	Moolenaar	Valentine
Clack	Hopgood	Moore	Walker
Clemente	Horn	Moss	Ward
Condino	Hune	Nitz	Warren
Constan	Jackson	Nofs	Wenke
Corriveau	Johnson	Opsommer	Wojno
Coulouris	Jones, Rick	Palsrok	Young
Cushingberry	Jones, Robert	Pavlov	

#### Nays—9

Agema	Hoogendyk	Palmer	Pearce
Elsenheimer	Huizenga	Pastor	Sheen
Garfield			

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 registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

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. 1173, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 457.

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

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

Rep. 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. 1173, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 457.

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

#### Roll Call No. 183

#### Yeas—108

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayer	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meadows	Simpson
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to



provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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. 1174, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 3 (MCL 207.803), as amended by 2007 PA 62.

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

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

Rep. 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. 1174, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 3 (MCL 207.803), as amended by 2007 PA 62.

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

#### Roll Call No. 184

#### Yeas—108

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, Kathleen	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	Meadows	Simpson
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke

Cushingberry  
Dean

Johnson  
Jones, Rick

Palsrok  
Pastor

Wojno  
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 promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,”

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. 1176, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 459. 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. 1176, entitled**

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 459. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 185**

**Yeas—107**

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

DeRoche  
Dillon  
Donigan  
Ebli  
Elsenheimer  
Emmons  
Espinoza  
Farrah  
Gaffney  
Gillard  
Gonzales  
Green  
Griffin  
Hammel  
Hammon  
Hansen

Knollenberg  
Lahti  
LaJoy  
Law, Kathleen  
LeBlanc  
Leland  
Lemmons  
Lindberg  
Marleau  
Mayes  
McDowell  
Meadows  
Meekhof  
Meisner  
Melton  
Meltzer

Pearce  
Polidori  
Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Scott  
Shaffer  
Sheen  
Sheltrown  
Simpson  
Smith, Virgil  
Spade  
Stahl  
Stakoe

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

### Nays—1

Garfield

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations.”

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. 1177, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding chapter 2A; and to repeal acts and parts of acts.

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. 1177, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding chapter 2A; 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. 186

### Yeas—106

Accavitti	DeRoche	Lahti	Pearce
Acciavatti	Dillon	LaJoy	Polidori
Agema	Donigan	Law, Kathleen	Proos

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

### Nays—2

Garfield                      Hoogendyk

In The Chair: Sak

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

“An act relating to the economic development of this state; to create the Michigan strategic fund and to prescribe its powers and duties; to transfer and provide for the acquisition and succession to the rights, properties, obligations, and duties of the job development authority and the Michigan economic development authority to the Michigan strategic fund; to provide for the expenditure of proceeds in certain funds to which the Michigan strategic fund succeeds in ownership; to provide for the issuance of, and terms and conditions for, certain notes and bonds of the Michigan strategic fund; to create certain boards and funds; to create certain permanent funds; to exempt the property, income, and operation of the fund and its bonds and notes, and the interest thereon, from certain taxes; to provide for the creation of certain centers within and for the purposes of the Michigan strategic fund; to provide for the creation and funding of certain accounts for certain purposes; to impose certain powers and duties upon certain officials, departments, and authorities of this state; to make certain loans, grants, and investments; to provide penalties; to make an appropriation; 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. 1178, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 125.

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. 1178, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 125.

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

**Roll Call No. 187**

**Yeas—107**

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

**Nays—1**

Garfield

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 prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the

capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe 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.

### Second Reading of Bills

#### Senate Bill No. 1183, entitled

A bill to amend 2001 PA 63, entitled “History, arts, and libraries act,” by amending section 2 (MCL 399.702), as amended by 2002 PA 508.

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. 1183, entitled

A bill to amend 2001 PA 63, entitled “History, arts, and libraries act,” by amending section 2 (MCL 399.702), as amended by 2002 PA 508.

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

#### Roll Call No. 188

#### Yeas—108

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Amos	Ebli	LaJoy	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott
Booher	Garfield	Marleau	Shaffer
Brandenburg	Gillard	Mayer	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meadows	Simpson
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi

Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
Constan	Huizenga	Nofs	Ward
Corriveau	Hune	Opsommer	Warren
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Palsrok	Wojno
Dean	Jones, Rick	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 a department of history, arts, and libraries; to provide for its administration; and to provide for its powers, duties, functions, and responsibilities.”

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. 5531, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 32d (MCL 388.1611 and 388.1632d), as amended by 2007 PA 137.

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

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

Rep. McDowell moved to amend the bill as follows:

1. Amend page 16, line 17, after “**200.0**” by inserting “**OR IS 1 OF 2 DISTRICTS THAT HAVE CONSOLIDATED TRANSPORTATION SERVICES AND HAVE A COMBINED TOTAL SQUARE MILEAGE GREATER THAN 200.0**”.

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

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 31, following line 15, by inserting:

“Sec. 99c. (1) From the state school aid fund money appropriated in section 11, there is allocated an amount not to exceed ~~\$0.00~~ **\$1,000,000.00** for 2007-2008 for ~~payments to districts under this section for the middle school mathematics initiative~~ **PILOT PROGRAMS DESIGNED** to achieve the middle school mathematics standards and benchmarks **FOR ALGEBRA** adopted by the state board.

(2) ~~The amount of the payment to each district for 2007-2008 shall be an equal amount per pupil for each pupil actually enrolled and attending school in the district in grades 6 to 8. Payments to a district under this section for subsequent fiscal years shall be as described in subsection (4).~~ **THE DEPARTMENT SHALL AWARD GRANTS FOR PILOT PROGRAMS UNDER THIS SECTION TO DISTRICTS ON A FIRST COME FIRST SERVE BASIS. THE AMOUNT OF A GRANT SHALL NOT EXCEED \$250,000.00. TO BE ELIGIBLE FOR A GRANT, A DISTRICT SHALL MEET ALL OF THE FOLLOWING:**

**(A) SHALL PROVIDE LOCAL FUNDING FOR THE PILOT PROGRAM IN AN AMOUNT AT LEAST EQUAL TO 1/3 OF THE AMOUNT OF THE GRANT. A DISTRICT MAY COUNT THE VALUE OF IN-KIND SERVICES TOWARD MEETING THIS LOCAL MATCH REQUIREMENT.**

**(B) THE PILOT PROGRAM SHALL BE CONDUCTED IN COOPERATION WITH AT LEAST 1 OTHER ENTITY, WHICH MAY INCLUDE, BUT NOT LIMITED TO, ANOTHER DISTRICT, AN INTERMEDIATE DISTRICT, A COMMUNITY COLLEGE, A STATE UNIVERSITY, OR A MATHEMATICS AND SCIENCE CENTER.**

**(3) THE PILOT PROGRAMS SHALL TARGET MIDDLE SCHOOL MATHEMATICS INITIATIVES AIMED AT MIDDLE SCHOOL STUDENTS IDENTIFIED TO BE BEHIND OR NEEDING ADDITIONAL ASSISTANCE**



**IN ALGEBRA AS DEFINED IN THE STANDARDS AND BENCHMARKS ADOPTED BY THE STATE BOARD. THE PROGRAMS SHALL BE SUMMER PROGRAMS AND SHALL INCLUDE ONLINE COURSES.**

**(4) GRANT FUNDS AWARDED UNDER THIS SECTION ARE INTENDED TO BE FOR THE FIRST YEAR OF 3 YEARS OF FUNDING.**

**(5) NOTWITHSTANDING SECTION 17B, PAYMENTS UNDER THIS SECTION MAY BE MADE PURSUANT TO AN AGREEMENT WITH THE DEPARTMENT.**

**(6) (3)-A district shall use funds received under this section BEFORE 2007-2008 for activities and efforts designed to improve pupil performance in mathematics. However, if a district has carried forward unexpended funds received under this section into 2007-2008, the district may use those unexpended funds for any purpose.” and adjusting the totals in section 11 and enacting section 1 accordingly.**

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

Rep. Gillard 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. 5531, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 32d (MCL 388.1611 and 388.1632d), as amended by 2007 PA 137.

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

#### **Roll Call No. 189**

#### **Yeas—91**

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

#### **Nays—17**

Acciavatti	DeRoche	Hune	Robertson
Agema	Garfield	Meekhof	Sheen

Calley  
Caswell  
Caul

Hoogendyk  
Huizenga

Palmer  
Pastor

Steil  
Ward

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 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11j, 22a, 22b, 22d, 32b, 32c, 51a, 51c, 99c, and 104 (MCL 388.1611, 388.1611j, 388.1622a, 388.1622b, 388.1622d, 388.1632b, 388.1632c, 388.1651a, 388.1651c, 388.1699c, and 388.1704), as amended by 2007 PA 137, and by adding sections 31h, 32e, 54c, 99h, 99m, 99n, and 99p.

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. Meekhof, 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 can not in good faith vote for this bill knowing that it will seriously restrict our ability to fund education in the next budget year."

Rep. Caswell, 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:

With the recent reductions in revenue for next year we have learned about, I cannot spend this money on categoricals when I know it will be needed for maintenance of the foundation grant for next year."

Rep. Calley, 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 the goals of this legislation are noble, I cannot support increases in categoricals when there is a high degree of likelihood that the same money will be needed to support the K-12 foundation allowance."

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:

We shouldn't be spending money on categoricals when we need the money for the foundation allowance. We will need this money for future use not for new programs."

### Second Reading of Bills

#### House Bill No. 5866, entitled

A bill to amend 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

The bill was read a second time.

Rep. Brown 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. 5866, entitled**

A bill to amend 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," by amending section 8 (MCL 129.268), as amended by 2007 PA 18.

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

**Roll Call No. 190**

**Yeas—95**

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

**Nays—13**

Agema	Garfield	Palmer	Sheen
Brandenburg	Hoogendyk	Pastor	Steil
Caswell	Knollenberg	Pearce	Wenke
DeRoche			

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. Caswell, 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:

We cannot continue to mortgage our future to pay for current programs. We must make choices on how we spend our money."

Rep. Sheen, 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:

We have to stop mortgaging the states future to deal with the short term. They should cut spending now, not have to cut twice as much later.”

### Second Reading of Bills

#### House Bill No. 5865, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding chapter 8B.

The bill was read a second time.

Rep. Ebli 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. Huizenga moved to amend the bill as follows:

1. Amend page 3, following line 24, by inserting:

**“(4) NO FUNDS APPROPRIATED IN THIS CHAPTER MAY BE USED FOR TOURISM PROMOTION OR BUSINESS DEVELOPMENT PROMOTION IF THE PROMOTION INCLUDES THE IMAGE OF A CANDIDATE FOR STATE OR FEDERAL ELECTIVE OFFICE AND THAT PROMOTION IS TARGETED TO A MEDIA MARKET IN THIS STATE.”.**

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

Rep. Moore moved to amend the bill as follows:

1. Amend page 3, following line 24, by inserting:

**“(4) FROM THE FUNDS APPROPRIATED IN SUBSECTION (1), NOT LESS THAN \$1,000,000.00 SHALL BE USED BY THE FUND TO PROMOTE MICHIGAN-BASED RETAILERS THAT HAVE BEEN ESTABLISHED FOR 25 OR MORE YEARS AND THAT PROVIDE GOODS AND SERVICES TO SPORTS ENTHUSIASTS IN THIS STATE.”.**

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

Rep. Moore demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 191

#### Yeas—49

Acciavatti	Gaffney	Meekhof	Pearce
Agema	Gillard	Meltzer	Proos
Amos	Green	Moolenaar	Robertson
Ball	Hansen	Moore	Schuitmaker
Booher	Hildenbrand	Moss	Shaffer
Brandenburg	Hoogendyk	Nitz	Sheen
Calley	Horn	Nofs	Stahl
Casperson	Huizenga	Opsommer	Stakoe
Caswell	Jones, Rick	Palmer	Steil
Caul	Knollenberg	Palsrok	Walker
DeRoche	LaJoy	Pastor	Ward
Elsenheimer	Marleau	Pavlov	Wenke
Emmons			

#### Nays—59

Accavitti	Cushingberry	Jackson	Polidori
Angerer	Dean	Johnson	Rocca

Bauer	Dillon	Jones, Robert	Sak
Bennett	Donigan	Lahti	Scott
Bieda	Ebli	Law, Kathleen	Sheltrown
Brown	Espinoza	LeBlanc	Simpson
Byrnes	Farrah	Leland	Smith, Virgil
Byrum	Garfield	Lemmons	Spade
Cheeks	Gonzales	Lindberg	Tobocman
Clack	Griffin	Mayes	Vagnozzi
Clemente	Hammel	McDowell	Valentine
Condino	Hammon	Meadows	Warren
Constan	Hood	Meisner	Wojno
Corriveau	Hopgood	Melton	Young
Coulouris	Hune	Miller	

In The Chair: Sak

Rep. Agema moved to amend the bill as follows:

1. Amend page 2, line 15, after “STATE.” by inserting “**FUNDS APPROPRIATED FOR THE MICHIGAN PROMOTION PROGRAM SHALL NOT BE USED TO FUND SALARIES OR BENEFITS OF ANY STATE EMPLOYEES OR EMPLOYEES OF THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION.**”.

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 192

### Yeas—102

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

**Nays—6**

Condino Gillard	Jones, Robert Sak	Warren	Young
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In The Chair: Sak

Rep. Ebli 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. 5865, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 8B.

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

**Roll Call No. 193****Yeas—94**

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

**Nays—14**

Agema	DeRoche	Moss	Pearce
Brandenburg	Garfield	Palmer	Sheen

Calley  
Caswell

Green  
Hoogendyk

Pastor

Steil

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.

Reps. Accavitti, Ball, Bieda, Caul, Clack, Clemente, Constan, Donigan, Elsenheimer, Gillard, Gonzales, Hammel, Hammon, Hansen, Horn, Jackson, Johnson, Rick Jones, Robert Jones, Knollenberg, Lahti, LeBlanc, Leland, Mayes, McDowell, Meadows, Melton, Opsommer, Polidori, Proos, Sak, Schuitmaker, Sheltroun, Vagnozzi and Ward were named co-sponsors of the bill.

Rep. Sheen, 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:

We have to stop mortgaging the states future to deal with the short term. They should cut spending now, not have to cut twice as much later.”

Rep. Calley, 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 support additional funding for marketing Michigan, I do not believe we can continue to use “one time” money to fund the operations of our great state.”

### Second Reading of Bills

#### House Bill No. 5867, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

The bill was read a second time.

Rep. Horn 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. 5867, entitled

A bill to amend 2000 PA 489, entitled “Michigan trust fund act,” by amending sections 7 and 8 (MCL 12.257 and 12.258), section 7 as amended by 2007 PA 50 and section 8 as added by 2005 PA 232.

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

### Roll Call No. 194

### Yeas—94

Accavitti  
Acciavatti  
Amos  
Angerer

Donigan  
Ebli  
Elsenheimer  
Emmons

Lahti  
LaJoy  
Law, Kathleen  
LeBlanc

Pavlov  
Polidori  
Proos  
Robertson



Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lemmons	Sak
Bennett	Gaffney	Lindberg	Schuitmaker
Bieda	Gillard	Marleau	Scott
Booher	Gonzales	Mayes	Shaffer
Brown	Griffin	McDowell	Sheltrown
Byrnes	Hammel	Meadows	Simpson
Byrum	Hammon	Meekhof	Smith, Virgil
Casperson	Hansen	Meisner	Spade
Caul	Hildenbrand	Melton	Stahl
Cheeks	Hood	Meltzer	Stakoe
Clack	Hopgood	Miller	Tobocman
Clemente	Horn	Moolenaar	Vagnozzi
Condino	Huizenga	Moore	Valentine
Constan	Hune	Moss	Walker
Corriveau	Jackson	Nitz	Ward
Coulouris	Johnson	Nofs	Warren
Cushingberry	Jones, Rick	Opsommer	Wojno
Dean	Jones, Robert	Palsrok	Young
Dillon	Knollenberg		

#### Nays—14

Agema	DeRoche	Palmer	Sheen
Brandenburg	Garfield	Pastor	Steil
Calley	Green	Pearce	Wenke
Caswell	Hoogendyk		

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. Calley, 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 support additional funding for marketing Michigan, I do not believe we can continue to use ‘one time’ money to fund the operations of our great state.”

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Reps. Valentine, Accavitti, Ball, Bieda, Brown, Clack, Clemente, Condino, Constan, Dean, Hammon, Hood, Hopgood, Johnson, Kathleen Law, Lemmons, Polidori, Sak, Alma Smith, Spade, Tobocman, Vagnozzi, Cushingberry, Gonzales, Robert Jones, Leland and Meadows offered the following resolution:

#### House Resolution No. 306.

A resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

Whereas, Our nation is currently experiencing the worst mortgage crisis since the Great Depression. In addition to record rates of foreclosure in many areas of the country, housing values are declining significantly. The wave of foreclosures, largely the result of subprime loans and a variety of predatory lending practices, has triggered a level of concern that is felt in virtually every household in America; and

Whereas, The cascading impact of houses that are lost to foreclosure for failure to pay the mortgage is becoming increasingly evident in many locations. The impact of the foreclosures over the past year is so great that it is estimated by some that as many as one homeowner in ten now owes more on their house's mortgage than the house is worth. All homes, even those without a mortgage, lose value quickly as houses stand empty. For many neighborhoods, the prospect of vacancy is accompanied by justifiable concerns over safety; and

Whereas, Congress is considering the Foreclosure Prevention Act of 2008 as a means of bringing a swift response to reverse the destructive trend of people walking away from homes because of loans they cannot possibly pay. This legislation offers a range of provisions, including allocations for foreclosure prevention counseling, expanding the capacity of governmental entities to redevelop properties, allowing housing finance agencies to help home buyers and issue refinancing bonds for owners with subprime loans, and empowering bankruptcy judges to change the terms of loans facing foreclosure. The bankruptcy adjustment provision would be consistent with the power bankruptcy judges already have for other kinds of debts, including those for vacation homes and rental properties; and

Whereas, Clearly, the severity of the mortgage foreclosure crisis demands vigorous and swift action. Less comprehensive approaches and voluntary programs alone are not enough; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Banking and Financial Services.

Reps. Shaffer, Accavitti, Ball, Bieda, Brandenburg, Brown, Clack, Condino, Dean, Green, Hammon, Hood, Hopgood, Kathleen Law, Lemmons, Nitz, Pearce, Polidori, Proos, Sak, Schuitmaker, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Booher, Cushingberry, Robert Jones, Leland, Marleau and Opsommer offered the following resolution:

**House Resolution No. 307.**

A resolution to express support for bipartisan efforts to ensure access to health care and financial security for all Americans.

Whereas, The opportunity to have access to health care and long-term financial security is a basic need that all Americans share, and it is the foundation for future generations; and

Whereas, We believe all Americans should have peace of mind about their future long-term financial security; and

Whereas, All Americans should have access to affordable health care, including prescription drugs, and these costs should not burden future generations; and

Whereas, Wellness and prevention efforts, including changes in personal behavior such as diet and exercise, should be top national priorities; and

Whereas, Americans should have choices when it comes to long-term care — allowing them to maintain their independence at home or in their communities with expanded and affordable financing options; and

Whereas, Our children and grandchildren should have an adequate quality of life when they retire. Social Security must be strengthened without burdening future generations; and

Whereas, Workers should be provided with financial incentives to save, should have access to effective retirement plans, and should be able to keep working and contributing to society regardless of age; and

Whereas, Americans of all ages should have access to tools to help manage their finances and save for the future and better, easy-to-understand information to help them increase their financial literacy and manage their money wisely; and

Whereas, Individuals, businesses, health care providers, nonprofit organizations, and government must work together to find solutions — personally, privately, and publicly; and

Whereas, AARP, the Business Roundtable, the National Federation of Independent Businesses, and the Service Employees International Union are committed to being champions for this new American Dream by launching Divided We Fail, an effort that engages millions of Americans to call their elected leaders to work together across party lines to provide answers, action, and accountability on these issues; now, therefore, be it

Resolved by the House of Representatives, That we express support for bipartisan efforts to ensure access to health care and financial security for all Americans; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Senior Health, Security, and Retirement.

Reps. Angerer, Accavitti, Condino, Schuitmaker, Tobocman, Hammon, Polidori, Kathleen Law, Stahl, Dean, Ball, Bieda, Brandenburg, Brown, Clack, Constan, Green, Hood, Hopgood, Lemmons, Nitz, Palmer, Pearce, Sak, Shaffer, Alma Smith, Spade, Vagnozzi, Valentine, Cushingberry, Gonzales, Robert Jones, Leland and Marleau offered the following resolution:

**House Resolution No. 308.**

A resolution recognizing the 40th anniversary of the Michigan Association of Homes and Services for the Aging.

Whereas, We are proud to honor and recognize MAHSA and its outstanding members on the celebration of its 40th anniversary; and

Whereas, In 1968, 11 Michigan health care providers representing seven facilities and four representatives of the American Association of Homes for the Aging held a historic meeting at the Michigan Institute of Gerontology to form a coalition of mission-based, not-for-profit long term care providers. These providers converged under the primary objective of better serving and protecting Michigan seniors and formed the Michigan Non-Profit Homes Association—later renamed the Michigan Association of Homes and Services for the Aging in 1994; and

Whereas, Today, MAHSA is the only statewide association representing the entire continuum of not-for-profit, mission-based, long-term care organizations. MAHSA's membership consists of more than 200 providers who deliver more than 8 million days of care annually; and

Whereas, MAHSA informs the public of Michigan's long-term care needs, trends and technologies and works diligently to provide Michigan's growing senior population with the resources and supports necessary to live a fulfilling life; and

Whereas, As MAHSA gathers in Kalamazoo on April 28-30, 2008, to celebrate its past 40 years and plan for the next 40 years, may the membership be aware of our gratitude for their dedication and service to Michigan's seniors; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the 40th anniversary of the Michigan Association of Homes and Services for the Aging; and be it further

Resolved, that a copy of this resolution be transmitted to the members of the Michigan Association of Homes and Services for the Aging as evidence of our high esteem.

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. Valentine, Accavitti, Ball, Bieda, Brown, Clack, Clemente, Condino, Constan, Dean, Hammon, Hood, Hopgood, Johnson, Rick Jones, Kathleen Law, Lemmons, Miller, Polidori, Sak, Schuitmaker, Alma Smith, Spade, Vagnozzi, Cushingberry, Gonzales, Robert Jones, Leland and Meadows offered the following resolution:

**House Resolution No. 309.**

A resolution to memorialize the Congress of the United States to enact strong legislation to end the flow of new aquatic invasive species into the Great Lakes from ballast water.

Whereas, The Great Lakes suffer from an infestation of aquatic invasive species introduced from the ballast water of ocean-going ships entering the Great Lakes. These exotic animals and plants cost millions of dollars annually to control and have irreversibly disrupted and displaced native plants and animals; and

Whereas, Federal regulations to prevent the introduction of aquatic invasive species into the Great Lakes are ineffective. On average each year, one new aquatic invasive species is introduced to the Great Lakes from ballast water. New strong federal regulation of ocean-going ships is imperative to protect the Great Lakes and all the people and industries who depend on them; and

Whereas, Current legislation in Congress would unnecessarily delay for years the adoption of meaningful standards for ballast water and implementation of available and effective treatment technology for ballast water. The Ballast Water Management Act of 2007 (S. 1578) and the Coast Guard Authorization Act of 2007 (H.R. 2830) should require environmentally protective standards for ballast water discharges that must be met within five years with an ultimate goal of zero discharge of viable organisms. In addition, federal legislation should not preclude action under the Clean Water Act to address ballast water discharges from ocean-going ships; and

Whereas, Most importantly, federal legislation should not preempt the possibility of state actions to improve on federal standards as needed to prevent the introduction of aquatic invasive species. Congress should not remove the power of states to protect their waters as they see fit; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact strong legislation to end the flow of new aquatic invasive species into the Great Lakes from ballast water; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Great Lakes and Environment.

Reps. Brown, Accavitti, Ball, Bieda, Brandenburg, Clack, Clemente, Condino, Constan, Dean, Hammon, Hood, Hopgood, Johnson, Kathleen Law, Lemmons, Polidori, Sak, Alma Smith, Spade, Tobocman, Vagnozzi, Valentine, Cushingberry, Gonzales, Robert Jones, Leland and Meadows offered the following concurrent resolution:

**House Concurrent Resolution No. 78.**

A concurrent resolution to memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008.

Whereas, Our nation is currently experiencing the worst mortgage crisis since the Great Depression. In addition to record rates of foreclosure in many areas of the country, housing values are declining significantly. The wave of foreclosures, largely the result of subprime loans and a variety of predatory lending practices, has triggered a level of concern that is felt in virtually every household in America; and

Whereas, The cascading impact of houses that are lost to foreclosure for failure to pay the mortgage is becoming increasingly evident in many locations. The impact of the foreclosures over the past year is so great that it is estimated by some that as many as one homeowner in ten now owes more on their house's mortgage than the house is worth. All homes, even those without a mortgage, lose value quickly as houses stand empty. For many neighborhoods, the prospect of vacancy is accompanied by justifiable concerns over safety; and

Whereas, Congress is considering the Foreclosure Prevention Act of 2008 as a means of bringing a swift response to reverse the destructive trend of people walking away from homes because of loans they cannot possibly pay. This legislation offers a range of provisions, including allocations for foreclosure prevention counseling, expanding the capacity of governmental entities to redevelop properties, allowing housing finance agencies to help home buyers and issue refinancing bonds for owners with subprime loans, and empowering bankruptcy judges to change the terms of loans facing foreclosure. The bankruptcy adjustment provision would be consistent with the power bankruptcy judges already have for other kinds of debts, including those for vacation homes and rental properties; and

Whereas, Clearly, the severity of the mortgage foreclosure crisis demands vigorous and swift action. Less comprehensive approaches and voluntary programs alone are not enough; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to pass and the President to sign the Foreclosure Prevention Act of 2008; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Banking and Financial Services.

### Messages from the Senate

#### Senate Bill No. 1157, entitled

A bill to amend 1960 PA 77, entitled "An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students' loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority;" (MCL 390.951 to 390.961) by adding section 7b; 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 Appropriations.

#### Senate Concurrent Resolution No. 28.

A concurrent resolution to urge the Michigan Department of Community Health, in partnership with physicians, pharmacists, health facilities, and educational institutions, to increase awareness among children, young adults, and parents about the dangers of using prescriptions or over-the-counter drugs prescribed for another person and to encourage parents and adult family members to keep these medications out of a child's reach.

Whereas, Household medicine cabinets pose a danger to the health and safety of children and young adults; medicine cabinets may contain a myriad of medications including pain relievers, anti-depressants, and anti-hypertensives that can harm children and teenagers. A child mistakenly may believe that medicine prescribed to a family member is safe for them or may believe that all medicine in the home is risk-free; and

Whereas, For example, a teenage boy in Rockford, Michigan, died from an allergic reaction to his mother's pain medication that he took to ease the pain of an injury. Tragically, he was not aware that any use of a pain medication not prescribed to him could have serious consequences; and

Whereas, Some young people may unfortunately experiment with prescription and over-the-counter (OTC) medications often found in their home or a friend's home. One example is "skittle parties" where kids take handfuls of a common cold and flu medication and experience hallucinations and other effects. Another example is "trail mix parties" where kids take handfuls of pills from bowls filled with random medications. According to the University of Michigan Monitoring the Future Survey, 3 percent of eighth graders, 7 percent of tenth graders, and about 10 percent of twelfth graders abused prescription drugs in 2006; and

Whereas, Prescription and OTC medications that are abused or used for non-medical reasons can harm a child's developing brain, can alter brain activity, and can lead to dependence. We need to communicate with our children and young adults that prescription medications, OTC medications, and other common items found in medicine cabinets are potentially dangerous and should not be used without direct permission and supervision; and

Whereas, To protect the safety of their family, parents must take great care to keep medicines out of their children's reach and to discard any that are no longer required to treat a medical condition so that these substances are not available to be misused; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Michigan Department of Community Health, in partnership with physicians, pharmacists, health facilities, and educational institutions, to increase awareness among children, young adults, and parents about the dangers of using prescriptions or over-the-counter drugs prescribed for another person and to encourage parents and adult family members to keep these medications out of a child's reach; and be it further

Resolved, That copies of this resolution be transmitted to the director of the Michigan Department of Community Health and be made available to all K-12 schools, colleges, universities, educational institutions, physician offices, and health care facilities in the state of Michigan.

The Senate has adopted the concurrent resolution.

Reps. Accavitti, Ball, Bieda, Brandenburg, Brown, Clack, Condino, Constan, Dean, Green, Hammon, Hopgood, Rick Jones, Kathleen Law, Lemmons, Meekhof, Nitz, Pearce, Polidori, Sak, Schuitmaker, Shaffer, Alma Smith, Spade, Stahl, Steil, Tobocman, Vagnozzi, Valentine, Agema, Booher, Cushingberry, Robert Jones, Leland, Marleau and Meadows were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Education.

### Introduction of Bills

Reps. LeBlanc, Corriveau, Hopgood, Young, Accavitti, Constan, Johnson, Jackson and Hammon introduced  
**House Bill No. 5904, entitled**

A bill to designate an official Scottish tartan of this state.

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

Rep. Cushingberry introduced

**House Bill No. 5905, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter III (MCL 763.3), as amended by 1988 PA 89.

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

Reps. Emmons and Meekhof introduced

**House Bill No. 5906, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," (MCL 339.101 to 339.2919) by adding section 1807a.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. McDowell, Lahti and Tobocman introduced

**House Bill No. 5907, entitled**

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 4 (MCL 15.264), as amended by 1984 PA 87.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. McDowell, Lahti, Tobocman and Melton introduced

**House Bill No. 5908, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding chapter 7A.

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

Reps. Meisner and Schuitmaker introduced

**House Bill No. 5909, entitled**

A bill to exclude certain personal property held in trust from the rule against perpetuities and similar rules that potentially affect the duration of trusts.

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

Rep. Meisner moved that the House adjourn.  
The motion prevailed, the time being 6:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 19, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives

