

No. 80
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
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House Chamber, Lansing, Wednesday, September 13, 2006.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Caswell.

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

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

e/d/s = entered during session

Rep. Shelley Goodman Taub, from the 40th District, offered the following invocation:

“This prayer was done by a 21-year old:

I AM AN AMERICAN

I am an American. I am free

I am an American. I am strong. Like our nation’s foundation, built by our founding fathers over two hundred years ago, I will not buckle. I will not be broken. I will endure.

I am an American. I have faith. I have looked into the eyes of fear but I am not afraid. I weep because I am human, not because I am weak. My beliefs cannot be taken from me. I will never give up hope.

I am an American. I have a voice. I speak my feelings freely because I am free to do so. I will voice my anger because I am angry. I will shout my frustration because I am confused. I will say my piece. I cannot be silenced.

I am an American. I am proud. The colors red, white and blue flow through my veins. Like the torch that welcomed my ancestors, my soul radiates freedom and liberty. The flag is my beacon. Brotherhood and love are what I believe in, truth and justice are what I stand for.

I am an American. And I am everyone – never just one. I am everything. I am united. I am the businessman on Wall Street, the farmer in Nebraska, the movie star in Los Angeles. I am the rolling waves of Miami Beach, the blowing wind of Chicago, the snow-capped mountains of Boulder and the desert sun of Phoenix. I am not weakened by cowardly acts of malice; I am strengthened. I cannot be divided. I will not be conquered.

I am an American. I will survive. I will stand up and I will fight and I will defend. I will not sit back and do nothing when I can do something. I will not back down. I will overcome. I will prevail.

I am an American. I am free.

God Bless America. Amen.”

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

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

House Bill No. 6004, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 614, 620, 622a, 623a, 1267, and 1274 (MCL 380.614, 380.620, 380.622a, 380.623a, 380.1267, and 380.1274), section 614 as amended by 2004 PA 419, section 620 as added by 2004 PA 413, section 622a as added by 2004 PA 412, sections 623a and 1274 as amended by 2004 PA 588, and section 1267 as amended by 2004 PA 232.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5761, entitled

A bill to amend 1895 PA 1, entitled “An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce,” (MCL 457.221 to 457.227) by adding section 4a.

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

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

Rep. Meisner moved to amend the bill as follows:

1. Amend page 1, line 3, by striking out “**SUBSTANTIALLY**”.
2. Amend page 1, line 9, by striking out “**SUBSTANTIALLY**”.

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

Rep. Meisner moved to amend the bill as follows:

1. Amend page 1, line 4, by striking out “**TAXATION**” and inserting “**THE COLLECTION OF TAXES**”.
2. Amend page 1, line 5, after “**211.157**” by inserting a comma and “**EXCEPT TAXES LEVIED FOR SCHOOL OPERATING PURPOSES UNDER SECTION 1211 OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1211**”.
3. Amend page 2, line 1, by striking out “**TAXATION**” and inserting “**THE COLLECTION OF TAXES**”.
4. Amend page 2, line 2, after “**211.157**” by inserting a comma and “**EXCEPT TAXES LEVIED FOR SCHOOL OPERATING PURPOSES UNDER SECTION 1211 OF THE REVISED SCHOOL CODE, 1976 PA 451, MCL 380.1211**”.

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 1, line 2, after “**ACT**” by inserting “**WHOSE MEMBERSHIP POLICIES DO NOT VIOLATE THE ELLIOTT-LARSEN CIVIL RIGHTS ACT, 1976 PA 453, MCL 37.2101 TO 37.2804**”.

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

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

The motion prevailed.

—————

Rep. Pearce moved that Rep. Booher be excused temporarily from today’s session.

The motion prevailed.

Rep. Drolet moved that Rep. Steil be excused temporarily from today’s session.

The motion prevailed.

House Bill No. 6288, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 474 (MCL 168.474).

The bill was read a second time.

Rep. Waters moved to amend the bill as follows:

1. Amend page 2, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 6192 of the 93rd Legislature is enacted into law.”.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 954

Yeas—48

Accavitti
Adamini

Condino
Cushingberry

Kolb
Law, Kathleen

Polidori
Sak

Anderson	Dillon	Leland	Sheltrown
Angerer	Donigan	Lemmons, III	Smith, Alma
Bennett	Espinoza	Lemmons, Jr.	Smith, Virgil
Bieda	Farrah	Lipsey	Spade
Brown	Gillard	Mayes	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko

Nays—55

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

In The Chair: Kooiman

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

Rep. Booher, under Rule 33, made the following statement:
“Mr. Speaker and members of the House:
I was absent from the Chamber when the vote was taken on Roll Call No. 954. Had I been present, I would have voted ‘nay’.”

House Bill No. 6289, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 32 (MCL 168.32).
The bill was read a second time.

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

Senate Bill No. 1267, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 25b (MCL 257.25b), as added by 2000 PA 82.

The bill was read a second time.

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

Senate Bill No. 1290, entitled

A bill to provide for the certification of driver education providers; to prescribe certain record-keeping and program requirements for driver education providers; to provide for the certification of driver education instructors; to prescribe the powers and duties of certain persons and departments; to prescribe certain fees; to establish a fund in the state treasury; to prescribe remedies, sanctions, and penalties; and to repeal acts, administrative rules, and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Transportation,

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

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

The motion prevailed.

Senate Bill No. 912, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 27a and 53b (MCL 211.27a and 211.53b), section 27a as amended by 2005 PA 23 and section 53b as amended by 2006 PA 13, and by adding section 7jj; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 912, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 27a and 53b (MCL 211.27a and 211.53b), section 27a as amended by 2005 PA 23 and section 53b as amended by 2006 PA 13, and by adding section 7jj; 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. 955

Yeas—104

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

DeRoche
Dillon
Donigan

Kahn
Kolb
Kooiman

Pearce
Plakas
Polidori

Williams
Wojno
Zelenko

Nays—0

In The Chair: Kooiman

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

“An act to provide for the 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. Ward moved that the bill be given immediate effect.

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

Second Reading of Bills

Senate Bill No. 913, entitled

A bill to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 913, entitled

A bill to impose a state recapture tax on the change in use of certain qualified forest property; to provide for the administration of the recapture tax; to prescribe the powers and duties of certain state and local officers; to provide for the collection and distribution of the recapture tax; and to prescribe penalties and provide remedies.

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

Roll Call No. 956

Yeas—104

Accavitti
Acciavatti
Adamini
Amos
Anderson
Angerer

Drolet
Elsenheimer
Emmons
Espinoza
Farhat
Farrah

LaJoy
Law, David
Law, Kathleen
Leland
Lemmons, III
Lemmons, Jr.

Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 954-956. Had I been present, I would have voted ‘yea’.”

Second Reading of Bills

Senate Bill No. 914, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 914, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126.

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

Roll Call No. 957**Yeas—105**

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

Nays—0

In The Chair: Kooiman

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 917, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 512.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 917, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 512.

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

Roll Call No. 958

Yeas—105

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

Nays—0

In The Chair: Kooiman

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

“An act to 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. Ward moved that the bill be given immediate effect.

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

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5454, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51105, 51106, 51108, 51113, and 51116 (MCL 324.51105, 324.51106, 324.51108, 324.51113, and 324.51116), section 51105 as amended by 1996 PA 451 and sections 51106, 51108, 51113, and 51116 as added by 1995 PA 57.

Recommends:

First: That the House and Senate agree to the substitute of the Senate as passed by the Senate and to the following amendment:

1. Amend page 6, line 7, after “**ACQUIRED**” by striking out “**AFTER DECEMBER 31, 2004**” and inserting “**WITHIN THE LAST 10 YEARS**”.

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 51105, 51106, 51108, and 51116 (MCL 324.51105, 324.51106, 324.51108, and 324.51116), section 51105 as amended by 1996 PA 451 and sections 51106, 51108, and 51116 as added by 1995 PA 57.

Kevin Elsenheimer
Tom Casperson
Joel Sheltroun
Conferees for the House

Gerald Van Woerkom
Ron Jelinek
Liz Brater
Conferees for the Senate

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 959

Yeas—105

Accavitti
Acciavatti
Adamini
Amos
Anderson
Angerer

Elsenheimer
Emmons
Espinoza
Farhat
Farrah
Gaffney

Law, David
Law, Kathleen
Leland
Lemmons, III
Lemmons, Jr.
Lipsey

Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen

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

Nays—0

In The Chair: Kooiman

First Conference Report

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

House Bill No. 5455, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 51101, 51103, and 51104 (MCL 324.51101, 324.51103, and 324.51104), as added by 1995 PA 57; and to repeal acts and parts of acts.

Recommends:

First: That the House agree to the Substitute of the Senate as passed by the Senate.

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 51101, 51103, 51112, and 51113 (MCL 324.51101, 324.51103, 324.51112, and 324.51113), as added by 1995 PA 57; and to repeal acts and parts of acts.

Bill Huizenga
Tom Casperson
Joel Sheltrown
Conferees for the House

Gerald Van Woerkom
Ron Jelinek
Liz Brater
Conferees for the Senate

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

Roll Call No. 960**Yeas—105**

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

Nays—0

In The Chair: Kooiman

Third Reading of Bills

Rep. Ward moved that **House Bill No. 5761** be placed on its immediate passage.

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

House Bill No. 5761, entitled

A bill to amend 1895 PA 1, entitled "An act to provide for the incorporation of Masonic Associations; and to impose certain duties upon the department of commerce," (MCL 457.221 to 457.227) by adding section 4a.

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

Roll Call No. 961**Yeas—104**

Accavitti	Drolet	LaJoy	Proos
Acciavatti	Elsenheimer	Law, David	Robertson

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

Nays—1

Vander Veen

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Rep. Sak moved that Rep. Byrum 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. 4108, entitled

A bill to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; to provide certain powers and duties for certain state agencies; and to provide for immunity from liability under certain circumstances.

(The bill was received from the Senate on May 10, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1089.)

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. 962**Yeas—104**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title as amended.

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 962. Had I been present, I would have voted ‘yea’.”

The Speaker laid before the House

House Bill No. 4861, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 224, 224d, and 231 (MCL 750.224, 750.224d, and 750.231), section 224 as amended by 1991 PA 33, section 224d as amended by 1992 PA 4, and section 231 as amended by 2002 PA 536.

(The bill was received from the Senate on September 12, 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. 79, p. 2439.)

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. 963**Yeas—105**

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

Nays—0

In The Chair: Kooiman

Rep. Ward moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 The House agreed to the full title of the bill.
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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

The Speaker laid before the House

House Bill No. 5193, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 5 (MCL 28.725), as amended by 2005 PA 132.

(The bill was received from the Senate on September 12, 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. 79, p. 2440.)

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. 964**Yeas—104**

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

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5194, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 36 (MCL 791.236), as amended by 2006 PA 168.

(The bill was received from the Senate on September 12, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 2440.)

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

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

Roll Call No. 965**Yeas—104**

Accavitti	Drolet	LaJoy	Robertson
Acciavatti	Elsenheimer	Law, David	Rocca
Adamini	Emmons	Law, Kathleen	Sak

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

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the title as amended.

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 964-965. Had I been present, I would have voted ‘yea’.”

The Speaker laid before the House

House Bill No. 5719, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding sections 217g and 217h.

(The bill was received from the Senate on September 12, 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. 79, p. 2440.)

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. 966**Yeas—104**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca

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

Nays—1

Drolet

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 6135, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17f of chapter XVII (MCL 777.17f), as added by 2002 PA 28.

(The bill was received from the Senate on September 12, 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. 79, p. 2440.)

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. 967**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak

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

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

House Bill No. 6062, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16511 and 16521 (MCL 333.16511 and 333.16521), as added by 2006 PA 30.

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

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

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

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. 6063, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18811 and 18821 (MCL 333.18811 and 333.18821), section 18811 as amended by 1982 PA 353 and section 18821 as amended by 1993 PA 79.

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

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

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

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. 6064, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18705 (MCL 333.18705), as added by 2004 PA 3.

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

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

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

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. 6086, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18411 (MCL 333.18411).

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

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

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

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. 6139, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17411 and 17421 (MCL 333.17411 and 333.17421), section 17421 as amended by 1993 PA 79.

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

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

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

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. 6140, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16803 and 16805 (MCL 333.16803 and 333.16805), as added by 2004 PA 97.

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

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

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

The House agreed to the full title.

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

Rep. Palmer entered the House Chambers.

House Bill No. 6145, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 18305 (MCL 333.18305), as amended by 1993 PA 79.

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

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

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

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. 6146, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 18505 (MCL 333.18505), as amended by 2004 PA 61.

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

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

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

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. 6147, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7301a, 16111, 16122, 16139, and 16264 (MCL 333.7301a, 333.16111, 333.16122, 333.16139, and 333.16264), section 7301a as added and section 16111 as amended by 1988 PA 462 and sections 16122 and 16139 as amended by 1993 PA 80; and to repeal acts and parts of acts.

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

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

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

The House agreed to the full title.

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

Third Reading of Bills

Senate Bill No. 848, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3426. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 968

Yeas—74

Accavitti	Espinoza	Marleau	Robertson
Acciavatti	Farhat	Mayes	Rocca
Amos	Gaffney	McDowell	Sak
Angerer	Garfield	Meisner	Schuitmaker
Ball	Gosselin	Meyer	Shaffer
Baxter	Green	Moolenaar	Sheen
Booher	Hansen	Moore	Sheltrown
Brandenburg	Hildenbrand	Mortimer	Spade
Byrnes	Hoogendyk	Murphy	Stahl
Casperson	Huizenga	Newell	Stakoe
Caswell	Hummel	Nitz	Steil
Caul	Hune	Nofs	Stewart
Clemente	Jones	Palmer	Taub
DeRoche	Kahn	Palsrok	Van Regenmorter
Dillon	Kolb	Pastor	Vander Veen
Donigan	Kooiman	Pavlov	Walker
Drolet	LaJoy	Pearce	Ward
Elsenheimer	Law, David	Proos	Wenke
Emmons	Lipsey		

Nays—32

Adamini	Condino	Hunter	Smith, Alma
Anderson	Cushingberry	Law, Kathleen	Smith, Virgil

Bennett	Farrah	Leland	Tobocman
Bieda	Gillard	Lemmons, III	Vagnozzi
Brown	Gleason	Lemmons, Jr.	Waters
Byrum	Gonzales	Miller	Williams
Cheeks	Hood	Plakas	Wojno
Clack	Hopgood	Polidori	Zelenko

In The Chair: Kooiman

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

“An act to revise, consolidate, and 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. Ward moved that the bill be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 969

Yeas—70

Accavitti	Farhat	Marleau	Rocca
Acciavatti	Gaffney	McDowell	Sak
Amos	Garfield	Meyer	Schuitmaker
Angerer	Gosselin	Moolenaar	Shaffer
Ball	Green	Moore	Sheen
Baxter	Hansen	Mortimer	Sheltrown
Booher	Hildenbrand	Murphy	Spade

Brandenburg	Hoogendyk	Newell	Stahl
Byrnes	Huizenga	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caswell	Hune	Palmer	Stewart
Caul	Jones	Palsrok	Taub
DeRoche	Kahn	Pastor	Van Regenmorter
Donigan	Kolb	Pavlov	Vander Veen
Drolet	Kooiman	Pearce	Walker
Elsenheimer	LaJoy	Proos	Ward
Emmons	Law, David	Robertson	Wenke
Espinoza	Lipsey		

Nays—36

Adamini	Condino	Hunter	Polidori
Anderson	Cushingberry	Law, Kathleen	Smith, Alma
Bennett	Dillon	Leland	Smith, Virgil
Bieda	Farrah	Lemmons, III	Tobocman
Brown	Gillard	Lemmons, Jr.	Vagnozzi
Byrum	Gleason	Mayes	Waters
Cheeks	Gonzales	Meisner	Williams
Clack	Hood	Miller	Wojno
Clemente	Hopgood	Plakas	Zelenko

In The Chair: Kooiman

House Bill No. 5435, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224a (MCL 750.224a), as amended by 2004 PA 338.

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

Roll Call No. 970**Yeas—106**

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

Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Senate Bill No. 849, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 414b.

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

Roll Call No. 971**Yeas—73**

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

Nays—33

Adamini	Cushingberry	Law, Kathleen	Polidori
Anderson	Farrah	Leland	Smith, Alma
Bennett	Gillard	Lemmons, III	Smith, Virgil
Bieda	Gleason	Lemmons, Jr.	Vagnozzi
Brown	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Williams

Cheeks
Clack
Condino

Hopgood
Hunter

Murphy
Plakas

Wojno
Zelenko

In The Chair: Kooiman

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Sak demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 972

Yeas—71

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

Nays—35

Adamini	Condino	Law, Kathleen	Polidori
Anderson	Cushingberry	Leland	Smith, Alma
Bennett	Dillon	Lemmons, III	Smith, Virgil

Bieda	Farrah	Lemmons, Jr.	Vagnozzi
Brown	Gillard	Mayes	Waters
Byrum	Gleason	Meisner	Williams
Cheeks	Gonzales	Miller	Wojno
Clack	Hood	Murphy	Zelenko
Clemente	Hopgood	Plakas	

In The Chair: Kooiman

Senate Bill No. 877, entitled

A bill to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; to provide certain powers and duties for certain state agencies; and to provide for immunity from liability under certain circumstances.

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

Roll Call No. 973

Yeas—106

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

Nays—0

In The Chair: Kooiman

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

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

A bill to establish safety and security practices for certain persons involved in the retail or wholesale sale or use of certain fertilizers; and to provide certain powers and duties for certain state agencies.

The motion prevailed.

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

Senate Bill No. 1016, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2601, 2605, 2607, 2617, 2619, 2627, 2633, 2635, and 2637 (MCL 339.2601, 339.2605, 339.2607, 339.2617, 339.2619, 339.2627, 339.2633, 339.2635, and 339.2637), as amended by 1999 PA 170, and by adding section 2610; 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. 974

Yeas—101

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

Nays—5

Drolet	Gosselin	Hoogendyk	Palmer
Garfield			

In The Chair: Kooiman

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

House Bill No. 6310, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1074.

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

Roll Call No. 975

Yeas—106

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

Nays—0

In The Chair: Kooiman

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

House Bill No. 6239, entitled

A bill to amend 1943 PA 174, entitled "An act to establish a fiscal year for and the time of filing annual reports based thereon of counties, county road commissions and other county agencies; and to declare the effect of this act," by amending section 1 (MCL 45.201), as amended by 1994 PA 347.

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

Roll Call No. 976

Yeas—106

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

Nays—0

In The Chair: Kooiman

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



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

House Bill No. 6322, entitled

A bill to amend 1979 PA 214, entitled “An act to provide for the disposition and sale of certain stolen or abandoned property recovered or discovered within a village or township; and to provide for the disposition of the proceeds of sale and certain other property,” by amending the title and section 1 (MCL 434.181), the title as amended by 1984 PA 258.

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

Roll Call No. 977

Yeas—105

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 977. Had I been present, I would have voted ‘yea’.”

House Bill No. 6325, entitled

A bill to amend 1965 PA 261, entitled “An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions,” by amending section 1 (MCL 46.351), as amended by 2003 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. 978

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

House Bill No. 6291, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2682.

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

Roll Call No. 979**Yeas—106**

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Reps. Anderson, Stewart, Zelenko, Kolb, Lipsey, Hummel, Vander Veen, Williams, Gaffney, Tobocman, Farrah, Pastor, LaJoy, Hopgood, Bieda, Meisner, Acciavatti, Clack, Condino, Vagnozzi, DeRoche, Accavitti, Stakoe, Garfield, Gleason, Ward, Sak, Nitz, Stahl, Sheen, Farhat, Palsrok, Gillard, Angerer, Baxter, Cheeks, Clemente, Elsenheimer, Espinoza, Gonzales, Gosselin, David Law, Lemmons, III, Lemmons, Jr., Marleau, Mayes, McDowell, Polidori, Proos, Schuitmaker, Spade and Murphy were named co-sponsors of the bill.

House Bill No. 6292, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.

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

Roll Call No. 980

Yeas—106

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

Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 276.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anderson, Stewart, Zelenko, Kolb, Lipsey, Kooiman, Hummel, Vander Veen, Williams, Brown, Gaffney, Hunter, Tobocman, Farrah, Pastor, LaJoy, Hopgood, Brandenburg, Bieda, Meisner, Acciavatti, Clack, Condino, Vagnozzi, Taub, Accavitti, Amos, Stakoe, Garfield, Hune, Gleason, Ward, Sak, Nitz, Stahl, Gillard, Casperson, Dillon, Angerer, Baxter, Booher, Clemente, Cushingberry, Elsenheimer, Espinoza, Gonzales, Hansen, Kahn, David Law, Lemmons, III, Mayes, McDowell, Moore, Mortimer, Polidori, Proos, Rocca, Sheltroun, Alma Smith, Spade and Murphy were named co-sponsors of the bill.

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

The motion prevailed.

House Bill No. 6293, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2683.

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

Roll Call No. 981**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltroun
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil

Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

House Bill No. 6295, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88a (MCL 125.2088a), as added by 2005 PA 225.

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

Roll Call No. 982

Yeas—106

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

DeRoche
Dillon
Donigan
Drolet

Kolb
Kooiman
LaJoy
Law, David

Plakas
Polidori
Proos

Williams
Wojno
Zelenko

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 6294, entitled

A bill to make, supplement, and adjust appropriations for the department of community health for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen and Kahn

Nays: Reps. Cushingberry and Alma Smith

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 13, 2006

Present: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

Second Reading of Bills

House Bill No. 6294, entitled

A bill to make, supplement, and adjust appropriations for the department of community health for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Appropriations,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6294, entitled

A bill to make, supplement, and adjust appropriations for the department of community health for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to prescribe certain conditions for 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. 983

Yeas—74

Acciavatti	Gaffney	Mayes	Rocca
Amos	Garfield	McDowell	Sak
Angerer	Gleason	Meyer	Schuitmaker
Ball	Gosselin	Moolenaar	Shaffer
Baxter	Green	Moore	Sheen
Booher	Hansen	Mortimer	Sheltrown
Brandenburg	Hildenbrand	Murphy	Spade
Byrnes	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
Clemente	Jones	Palsrok	Taub
DeRoche	Kahn	Pastor	Van Regenmorter
Donigan	Kolb	Pavlov	Vander Veen
Drolet	Kooiman	Pearce	Walker
Elsenheimer	LaJoy	Polidori	Ward
Emmons	Law, David	Proos	Wenke
Espinoza	Lemmons, III	Robertson	Wojno
Farhat	Marleau		

Nays—32

Accavitti	Clack	Hopgood	Plakas
Adamini	Condino	Hunter	Smith, Alma
Anderson	Cushingberry	Law, Kathleen	Smith, Virgil
Bennett	Dillon	Leland	Tobocman
Bieda	Farrah	Lemmons, Jr.	Vagnozzi
Brown	Gillard	Lipsev	Waters
Byrum	Gonzales	Meisner	Williams
Cheeks	Hood	Miller	Zelenko

In The Chair: Kooiman

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

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

A bill to make, supplement, and adjust appropriations for the departments of community health and treasury for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

The motion prevailed.

The House agreed to the title as amended.

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 have no opposition with the policy this appropriation would support, but I object in the manner in which funding is being appropriated. This is a restricted fund which is being used for general fund purpose. Because of this concern, I voted ‘no’ on HB 6294.”

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

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

Rep. Sak demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 984

Yeas—71

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

Nays—34

Accavitti	Condino	Law, Kathleen	Polidori
Adamini	Cushingberry	Leland	Smith, Alma
Anderson	Dillon	Lemmons, Jr.	Smith, Virgil
Bennett	Farrah	Lipsey	Tobocman
Bieda	Gillard	Mayes	Vagnozzi
Brown	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Williams
Cheeks	Hopgood	Plakas	Zelenko
Clack	Hunter		

In The Chair: Kooiman

House Bill No. 6011, entitled

A bill to amend 1978 PA 472, entitled “An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 8 (MCL 4.418), as amended by 1994 PA 412.

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

Roll Call No. 985**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 5172, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 6 (MCL 169.206), as amended by 2003 PA 69, and by adding section 48.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 4, line 2, after “**SEC.**” by striking out “**48**” and inserting “**48A**”.

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. Ward moved to amend the bill as follows:

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

“(D) **THE AMOUNT THE PERSON MAKING THE COMMUNICATION WAS OR IS TO BE PAID FOR MAKING THE COMMUNICATION.**”.

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. 986**Yeas—106**

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

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 6 (MCL 169.206), as amended by 2003 PA 69, and by adding section 48a.

The motion prevailed.

The House agreed to the title as amended.

Reps. Anderson, Stewart, Kolb, Lipsey, Kooiman, Meyer, Hummel, Vander Veen, Williams, Farrah, Hopgood, Kathleen Law, Wojno, Acciavatti, Clack, Condino, Vagnozzi, Taub, Accavitti, Amos, Gleason, Byrum, Steil, Sak, Stahl, Sheen, Farhat, Palsrok, Dillon, Ball, Byrnes, Cheeks, Clemente, Donigan, Elsenheimer, Espinoza, Gonzales, Hansen, Leland, Mayes, McDowell, Mortimer, Pavlov, Pearce, Polidori, Proos, Rocca, Schuitmaker, Sheltrown, Alma Smith and Spade were named co-sponsors of the bill.

House Bill No. 6129, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 15, 17, 24, 32, 33, 34, and 35 (MCL 169.215, 169.217, 169.224, 169.232, 169.233, 169.234, and 169.235), section 15 as amended by 2001 PA 250, section 17 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 32 as amended by 1999 PA 236, sections 33 and 34 as amended by 1999 PA 238, and section 35 as amended by 2000 PA 75.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 22, line 14, after “(1)” by striking out “A” and inserting “**IN THE YEAR THAT A BALLOT QUESTION SUPPORTED OR OPPOSED BY A BALLOT QUESTION COMMITTEE APPEARS ON THE BALLOT, THE**”.

2. Amend page 22, following line 26, by inserting:

“(C) A CAMPAIGN STATEMENT, NOT LATER THAN APRIL 15 WITH A CLOSING DATE OF MARCH 31.

(D) A CAMPAIGN STATEMENT, NOT LATER THAN JULY 15 WITH A CLOSING DATE OF JUNE 30.”.

3. Amend page 22, line 27, after “(2)” by striking out the balance of the subsection and inserting **“IN EACH YEAR OTHER THAN THE YEAR THAT A BALLOT QUESTION SUPPORTED OR OPPOSED BY A BALLOT QUESTION COMMITTEE APPEARS ON THE BALLOT, THE BALLOT QUESTION COMMITTEE SHALL FILE A CAMPAIGN FINANCE STATEMENT AS REQUIRED BY THIS ACT ACCORDING TO THE FOLLOWING SCHEDULE:**

(A) NOT LATER THAN APRIL 15 WITH A CLOSING DATE OF MARCH 31.

(B) NOT LATER THAN JULY 15 WITH A CLOSING DATE OF JUNE 30.

(C) NOT LATER THAN OCTOBER 15 WITH A CLOSING DATE OF SEPTEMBER 30.”.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor. The question being on the passage of the bill,

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 8, line 14, after **“COMMITTEES”** by inserting **“SELECTED AS PROVIDED IN SECTION 15A”**.

2. Amend page 8, line 23, after **“SUBSECTION.”** by striking out the balance of the subsection.

3. Amend page 10, following line 13, by inserting:

“SEC. 15A. (1) FOR EACH GENERAL ELECTION CYCLE, THE BUREAU OF ELECTIONS SHALL RANDOMLY SELECT 9 COMMITTEES TO BE AUDITED BY THE SECRETARY OF STATE UNDER SECTION 15(14). THE COMMITTEES SELECTED SHALL BE COMPOSED OF ALL OF THE FOLLOWING:

(A) THREE CANDIDATE COMMITTEES.

(B) THREE BALLOT QUESTION COMMITTEES.

(C) THREE INDEPENDENT OR POLITICAL COMMITTEES.

(2) THE BUREAU OF ELECTIONS SHALL SUBMIT THE NAMES OF THE COMMITTEES SELECTED UNDER SUBSECTION (1) TO THE BOARD OF STATE CANVASSERS. THE BOARD OF STATE CANVASSERS SHALL REVIEW THE NAMES SUBMITTED AND, BY MAJORITY VOTE OF THE MEMBERS APPOINTED AND SERVING, APPROVE OR DENY EACH COMMITTEE.

(3) THE BUREAU OF ELECTIONS SHALL RANDOMLY SELECT A COMMITTEE TO REPLACE EACH COMMITTEE REJECTED BY THE BOARD OF STATE CANVASSERS UNDER SUBSECTION (2) AND SUBMIT THE NAME OF THE NEW COMMITTEE TO THE BOARD OF STATE CANVASSERS FOR APPROVAL OR DENIAL AS PROVIDED IN SUBSECTION (2).”.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor. The question being on the passage of the bill,

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 3, line 4, after **“WITHIN”** by striking out **“30”** and inserting **“60”**.

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. 987

Yeas—103

Accavitti	Drolet	Law, David	Proos
Acciavatti	Elsenheimer	Law, Kathleen	Robertson
Adamini	Emmons	Leland	Rocca
Amos	Espinoza	Lemmons, III	Sak
Anderson	Farhat	Lemmons, Jr.	Schuitmaker
Angerer	Farrah	Lipsey	Shaffer
Ball	Gaffney	Marleau	Sheltrown
Baxter	Gillard	Mayer	Smith, Alma
Bennett	Gleason	McDowell	Spade
Bieda	Gonzales	Meisner	Stahl
Booher	Gosselin	Meyer	Stakoe
Brandenburg	Green	Miller	Steil
Brown	Hansen	Moolenaar	Stewart
Byrnes	Hildenbrand	Moore	Taub

Byrum	Hood	Mortimer	Tobocman
Casperson	Hoogendyk	Murphy	Vagnozzi
Caswell	Hopgood	Newell	Van Regenmorter
Caul	Huizenga	Nitz	Vander Veen
Cheeks	Hummel	Nofs	Walker
Clack	Hune	Palmer	Ward
Clemente	Hunter	Palsrok	Waters
Condino	Jones	Pastor	Wenke
Cushingberry	Kahn	Pavlov	Williams
DeRoche	Kolb	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

Nays—3

Garfield	Sheen	Smith, Virgil
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In The Chair: Kooiman

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

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

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending sections 15, 17, 24, 32, 33, 34, and 35 (MCL 169.215, 169.217, 169.224, 169.232, 169.233, 169.234, and 169.235), section 15 as amended by 2001 PA 250, section 17 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 32 as amended by 1999 PA 236, sections 33 and 34 as amended by 1999 PA 238, and section 35 as amended by 2000 PA 75, and by adding section 15a.

The motion prevailed.

The House agreed to the title as amended.

House Bill No. 6130, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 33 (MCL 169.233), as amended by 1999 PA 238.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 3, line 3, by striking out all of line 3.
2. Amend page 3, line 4, by striking out “(i)” and inserting “(A)”.
3. Amend page 3, line 4, after “31” by inserting “OF EACH YEAR”.
4. Amend page 3, following line 5, by inserting:
“(B) NOT LATER THAN APRIL 25 WITH A CLOSING DATE OF APRIL 20.”.
5. Amend page 3, line 6, by striking out “(ii)” and inserting “(C)”.
6. Amend page 3, line 7, by striking out “(iii)” and inserting “(D)”.
7. Amend page 3, line 9, by striking out all of subdivision (b).

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

The question being on the passage of the bill,

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

Roll Call No. 988**Yeas—103**

Accavitti	Drolet	Law, David	Proos
Acciavatti	Elsenheimer	Law, Kathleen	Robertson
Adamini	Emmons	Leland	Rocca
Amos	Espinoza	Lemmons, III	Sak
Anderson	Farhat	Lemmons, Jr.	Schuitmaker
Angerer	Farrah	Lipsey	Shaffer
Ball	Gaffney	Marleau	Sheltrown
Baxter	Gillard	Mayer	Smith, Alma

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

Nays—3

Garfield Sheen Smith, Virgil

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 6131, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” by amending section 51 (MCL 169.251), as amended by 1989 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. 989**Yeas—102**

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

DeRoche
Dillon
Donigan

Kooiman
LaJoy
Law, David

Plakas
Polidori

Wojno
Zelenko

Nays—4

Garfield

Green

Sheen

Smith, Virgil

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 6132, entitled

A bill to amend 1976 PA 388, entitled “Michigan campaign finance act,” (MCL 169.201 to 169.282) by adding section 43a.

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

Roll Call No. 990

Yeas—104

Accavitti
Acciavatti
Adamini
Amos
Anderson
Angerer
Ball
Baxter
Bennett
Bieda
Booher
Brandenburg
Brown
Byrnes
Byrum
Casperson
Caswell
Caul
Cheeks
Clack
Clemente
Condino
Cushingberry
DeRoche
Dillon
Donigan

Elsenheimer
Emmons
Espinoza
Farhat
Farrah
Gaffney
Garfield
Gillard
Gleason
Gonzales
Gosselin
Green
Hansen
Hildenbrand
Hood
Hoogendyk
Hopgood
Huizenga
Hummel
Hune
Hunter
Jones
Kahn
Kolb
Kooiman
LaJoy

Law, David
Law, Kathleen
Leland
Lemmons, III
Lemmons, Jr.
Lipsey
Marleau
Mayes
McDowell
Meisner
Meyer
Miller
Moolenaar
Moore
Mortimer
Murphy
Newell
Nitz
Nofs
Palmer
Palsrok
Pastor
Pavlov
Pearce
Plakas
Polidori

Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen
Sheltrown
Smith, Alma
Spade
Stahl
Stakoe
Steil
Stewart
Taub
Tobocman
Vagnozzi
Van Regenmorter
Vander Veen
Walker
Ward
Waters
Wenke
Williams
Wojno
Zelenko

Nays—2

Drolet

Smith, Virgil

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 6133, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2001 PA 250, and by adding section 48.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 3, line 16, after "**MEANS**" by inserting "**AND TO WHICH SECTION 47 DOES NOT APPLY**".

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. 991**Yeas—105**

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

Nays—1

Smith, Virgil

In The Chair: Kooiman

The House agreed to the title of the bill.

Reps. Plakas, Anderson, Zelenko, Kolb, Lipsey, Meyer, Hummel, Newell, Vander Veen, Pastor, LaJoy, Hopgood, Kathleen Law, Brandenburg, Bieda, Condino, DeRoche, Accavitti, Gleason, Shaffer, Wenke, Emmons, Steil, Sak, Huizenga, Farhat, Moolenaar, Palsrok, Walker, Gillard, Dillon, Angerer, Byrnes, Clemente, Donigan, Gonzales, Hansen, Jones, Kahn, David Law, Leland, Marleau, Mayes, McDowell, Pearce, Polidori, Rocca, Alma Smith and Spade were named co-sponsors of the bill.

House Bill No. 6017, entitled

A bill to amend 1973 PA 196, entitled “An act to prescribe standards of conduct for public officers and employees; to create a state board of ethics and prescribe its powers and duties; and to prescribe remedies and penalties,” by amending section 2 (MCL 15.342), as amended by 1984 PA 53.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Pastor moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

“(9) A PUBLIC OFFICER SHALL NOT SOLICIT OR ACCEPT A CONTRIBUTION, AS DEFINED IN SECTION 4 OF THE MICHIGAN CAMPAIGN FINANCE ACT, 1976 PA 388, MCL 169.204, IN ANY FACILITY OR PORTION OF A FACILITY OWNED OR LEASED BY THE STATE THAT IS USED PRIMARILY FOR THE CONDUCTING OF GOVERNMENT BUSINESS. AN INDIVIDUAL WHO VIOLATES THIS SUBSECTION IS GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR A FINE OF \$1,000.00 OR THE AMOUNT OF THE CONTRIBUTION ACCEPTED, WHICHEVER IS GREATER, OR BOTH IMPRISONMENT AND A FINE.”.

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. 992

Yeas—104

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

Nays—2

Garfield	Smith, Virgil
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In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 6128, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 6, 11, and 54 (MCL 169.205, 169.206, 169.211, and 169.254), section 5 as amended by 1999 PA 237, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, and section 54 as amended by 1995 PA 264, and by adding sections 40, 52b, and 53a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Baxter moved to substitute (H-4) the bill.

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

The question being on the passage of the bill,

Rep. Meisner moved to amend the bill.

The motion was not seconded.

Rep. Sak moved to reconsider the vote by which the House did not second the motion made by Rep. Meisner.

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

Rep. Sak demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 993**Yeas—48**

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

Nays—58

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

The question being on the passage of the bill,

After debate,

Rep. Hildenbrand demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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. 994**Yeas—56**

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

Nays—50

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

In The Chair: Kooiman

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

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

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 6, 11, 24, 26, 29, 35, and 43 (MCL 169.205, 169.206, 169.211, 169.224, 169.226, 169.229, 169.235, and 169.243), sections 5 and 24 as amended by 1999 PA 237, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, sections 26 and 29 as amended by 2001 PA 250, and section 35 as amended by 2000 PA 75, and by adding section 51a.

The motion prevailed.

The House agreed to the title as amended.

House Bill No. 4983, entitled

A bill to regulate and to require certain reports to be filed by persons who receive contributions for purposes of defending elected officials from criminal, civil, and administrative actions; to regulate contributions made for purposes of defending elected officials from criminal, civil, and administrative actions; to prescribe certain powers and duties of the secretary of state; and to prescribe penalties and civil sanctions.

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

Roll Call No. 995**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

House Bill No. 5985, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 50 (MCL 169.250), as added by 1994 PA 385.

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

Roll Call No. 996**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Second Reading of Bills

Senate Bill No. 1167, entitled

A bill to amend 2000 PA 322, entitled "Julian-Stille value-added act," (MCL 285.301 to 285.304) by adding section 2b; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. McDowell moved to amend the bill as follows:

1. Amend page 2, following line 17, by inserting:

"(I) TWO INDIVIDUALS FROM THE UPPER PENINSULA REPRESENTING THE AGRICULTURAL INTERESTS OF THAT REGION."

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

Rep. McDowell demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 997

Yeas—51

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown

Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Smith, Virgil
Bennett	Espinoza	Lipsey	Spade
Bieda	Farrar	Mayes	Tobocman
Brown	Gillard	McDowell	Vagnozzi
Byrnes	Gleason	Meisner	Walker
Byrum	Gonzales	Miller	Waters
Casperson	Hood	Moore	Williams
Cheeks	Hopgood	Murphy	Wojno
Clack	Hunter	Plakas	Zelenko
Clemente	Kolb	Polidori	

Nays—55

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

In The Chair: Kooiman

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

“Mr. Speaker and members of the House:

I vote against this amendment as it tends to divide northern Michigan rather than unite it. I believe representation from the U.P. is appropriate and necessary on this committee, but no more or less necessary than representation from the northern lower peninsula. The amendment should have reflected the reality of the northern Michigan economy, and did not.”

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

Senate Bill No. 1168, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” by amending the title and section 2 (MCL 285.302).

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

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

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

1. Amend page 13, following line 8, by inserting:

“(13) THE AMENDATORY ACT THAT ADDED SUBSECTION (5) SHALL NOT AFFECT ANY GRANTS AWARDED UNDER THIS ACT PRIOR TO THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (5).”

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

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

The motion prevailed.

Senate Bill No. 1169, entitled

A bill to amend 2000 PA 322, entitled “Julian-Stille value-added act,” (MCL 285.301 to 285.304) by adding section 2a. The bill was read a second time.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Ward moved that **House Bill No. 6294** be given immediate effect.

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

Rep. Sak demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 998

Yeas—70

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

Nays—35

Accavitti	Condino	Law, Kathleen	Polidori
Adamini	Cushingberry	Leland	Smith, Alma

Anderson	Dillon	Lemmons, III	Smith, Virgil
Bennett	Farrah	Lemmons, Jr.	Tobocman
Bieda	Gillard	Lipsey	Vagnozzi
Brown	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Williams
Cheeks	Hopgood	Murphy	Zelenko
Clack	Hunter	Plakas	

In The Chair: Kooiman

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

Rep. Ward moved that Rule 45 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved that the Committee on House Oversight, Elections, and Ethics be discharged from further consideration of **House Resolution No. 279**.
 The motion prevailed, a majority of the members serving voting therefor.
 The resolution was placed on the order of Reports of Standing Committees.

Rep. Ward moved that Rule 45 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved that the Committee on House Oversight, Elections, and Ethics be discharged from further consideration of **House Resolution No. 280**.
 The motion prevailed, a majority of the members serving voting therefor.
 The resolution was placed on the order of Reports of Standing Committees.

Reports of Standing Committees

The Speaker laid before the House
House Resolution No. 279.

A resolution to urge the Michigan Capitol Committee to rename the 2006 Winter Holiday Tree display as the "Christmas Tree and Hanukkah Menorah Holidays Display".
 (For text of resolution, see House Journal No. 63, p. 1680.)
 (The resolution was discharged from the Committee on House Oversight, Elections, and Ethics on September 13.)
 The question being on the adoption of the resolution,
 The resolution was adopted.

The Speaker laid before the House
House Resolution No. 280.

A resolution to urge the Michigan Capitol Committee to recommend that a display of the Hanukkah Menorah be placed on the Capitol grounds.
 (For text of resolution, see House Journal No. 63, p. 1680.)
 (The resolution was discharged from the Committee on House Oversight, Elections, and Ethics on September 13.)
 The question being on the adoption of the resolution,
 The resolution was adopted.

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

Rep. Cushingberry asked and obtained an excuse from session on Thursday, September 21, 2006.

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos.	6450	6451	6452	6453	6454	6455	6456	6457	6458	6459	6460	6461	6462	6463
	6464	6465	6466	6467										
Senate Bill Nos.	1413	1414	1415	1416	1417	1418	1419	1420	1421	1422	1423	1424	1425	1426

The Clerk announced that the following Senate bill had been received on Wednesday, September 13:

Senate Bill No. 1357

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

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6363, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 5 (MCL 30.405), as amended by 1990 PA 50.

With the recommendation that the substitute (H-2) 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. Drolet, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Nays: None

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6364, entitled

A bill to amend 1945 PA 302, entitled "An act authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties," by amending section 1 (MCL 10.31).

With the recommendation that the substitute (H-2) 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. Drolet, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Nays: None

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6410, entitled

A bill to revise, consolidate, and codify the laws relating to fireworks; to regulate the purchase, possession, sale, and use of fireworks; to provide for penalties and remedies; and to prescribe the powers and duties of certain state agencies.

With the recommendation that the substitute (H-2) 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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons

Nays: Rep. Lipsey

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6411, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411 (MCL 750.411), as amended by 2000 PA 339.

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons

Nays: None

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6412, entitled

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

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons

Nays: Rep. Lipsey

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6413, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing chapter XXXIX (MCL 750.243a to 750.243e).

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons

Nays: Rep. Lipsey

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6414, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 243e (MCL 750.243e).

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons
Nays: None

The Committee on Government Operations, by Rep. Drolet, Chair, reported

House Bill No. 6415, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as amended by 2002 PA 321.

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Drolet, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, September 12, 2006

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 6181, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 15g to chapter IV.

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. Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith
Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 6182, entitled

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

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. Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith
Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 6275, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 40. 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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 6307, entitled

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

With the recommendation that the substitute (H-2) 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. Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey and Bieda

Nays: Reps. Nofs, Condino, Adamini and Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 6455, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 13a, 16a, 17a, 31, 41a, 44a, 46b, 61, 76a, 78a, and 80a (MCL 780.763a, 780.766a, 780.767a, 780.781, 780.791a, 780.794a, 780.796b, 780.811, 780.826a, 780.828a, and 780.830a), sections 13a, 16a, 31, 44a, 61, and 76a as amended and sections 17a, 46b, and 80a as added by 2005 PA 184 and sections 41a and 78a as amended by 2000 PA 503, and by adding sections 2a, 18b, 31a, 45a, 61b, and 77b.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 13, 2006

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Absent: Rep. McConico

Excused: Rep. McConico

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 12, 2006

Present: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 13, 2006

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 13, 2006

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

Absent: Reps. Stakoe, Baxter, Rocca and Gillard

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robertson, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, September 13, 2006

Present: Reps. Robertson, Green, Huizenga, Hune, Palsrok, Hunter, Clemente and Mayes

Absent: Rep. Dillon

Excused: Rep. Dillon

Messages from the Senate**House Bill No. 6138, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17211 and 17221 (MCL 333.17211 and 333.17221), section 17221 as amended by 1993 PA 79.

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. 6141, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17011 (MCL 333.17011), as amended by 1993 PA 79, and by adding section 17026.

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. 6142, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16411 and 16421 (MCL 333.16411 and 333.16421), section 16411 as amended by 2002 PA 734 and section 16421 as amended by 1993 PA 79.

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. 6143, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18211 and 18221 (MCL 333.18211 and 333.18221), section 18221 as amended by 1993 PA 79.

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. 6148, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17511 (MCL 333.17511) and by adding section 17526.

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. 6149, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18011 and 18021 (MCL 333.18011 and 333.18021), as amended by 2006 PA 161.

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. 6205, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17711 and 17721 (MCL 333.17711 and 333.17721), section 17721 as amended by 1993 PA 79.

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. 6206, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17305 (MCL 333.17305), as added by 2001 PA 139.

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. 6207, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16903, 16905, and 16907 (MCL 333.16903, 333.16905, and 333.16907), as added by 1995 PA 126.

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. 6208, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17820, 17821, and 17903 (MCL 333.17820, 333.17821, and 333.17903), section 17820 as amended by 2005 PA 281, section 17821 as amended by 1993 PA 79, and section 17903 as added by 2006 PA 54.

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. 4431, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2004 PA 58.

The Senate has amended the bill as follows:

1. Amend page 3, line 7, by striking out "September" and inserting "December".

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

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

House Bill No. 5672, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17766 (MCL 333.17766), as amended by 2004 PA 329, and by adding section 17780.

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

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

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

House Bill No. 6150, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421.

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

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

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

House Concurrent Resolution No. 30.

A concurrent resolution to memorialize the Congress of the United States to eliminate the Medicare caps on accredited graduate medical education positions for the state of Michigan that were imposed as part of the Balanced Budget Amendment of 1997.

(For text of resolution, see House Journal No. 25, p. 472.)

The Senate has adopted the concurrent resolution and named Senators Birkholz and Goschka as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 1357, entitled

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate;

to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending section 1 (MCL 331.1).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Communications from State Officers

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

September 12, 2006

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

Performance audit of

State Universities' Reporting of Selected Higher Education Institutional Data Inventory Data

for fiscal year 2004-05

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

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

Rep. Hummel moved that the House adjourn.

The motion prevailed, the time being 5:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 14, at 10:30 a.m.

GARY L. RANDALL

Clerk of the House of Representatives