

No. 35
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House of Representatives
94th Legislature
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House Chamber, Lansing, Tuesday, April 17, 2007.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Matt Gillard, from the 106th District, offered the following invocation:

“Heavenly Father, today we are most thankful for the gift of life that You have blessed us with. We are thankful for the opportunities and the resources that You have given us stewardship over, both as individuals and citizens and legislators of this great state of Michigan and the United States of America.

Today, Heavenly Father, we pray that You will watch over us and provide us the wisdom to see clearly so that we may carry-out our duties as members of the chamber. Heavenly Father, we pray that You bless us with strength and courage so that we may uphold the covenant we have every man, woman, and child in Michigan.

We ask that You will give us the clarity to allow us to make laws that are fair and just and that You grant us the wisdom to make decisions that will strengthen and make our nation and our state prosperous.

Now, Heavenly Father, on behalf of my colleagues of the Michigan House of Representatives, we ask for Your divine guidance in our deliberations, and duties. May we perform justly, love with mercy, and walk humbly to the end in which we the people will have a more perfect and happy existence. These things we ask in the name of our Lord and Savior Jesus the true Christ, Amen.”

Rep. Booher moved that Rep. Garfield be excused from today’s session.
The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, April 13:

House Bill Nos. 4594 4595 4596 4597 4598 4599
House Joint Resolution K

The Clerk announced that the following Senate bill had been received on Tuesday, April 17:
Senate Bill No. 79

Communications from State Officers

The following communications from the Department of Treasury were received and read:

April 16, 2007

Please find attached one copy of the Principal Residence Exemption Compliance Program Quarterly Report for the period January 1, 2007 through March 31, 2007. The report is required by Public Act 345 of 2006, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$5,856,800.00 included in part 1 for the revenue enhancement program, \$5,356,000.00 shall be used for revenue collection enhancement activities including auditing functions.

(3) The \$500,000.00 balance of the \$5,856,800.00 shall be used for the principal residence exemption compliance program. Along with other program costs, expenditures shall include the development of a statewide web-based database created for the purpose of enforcing the principal residence exemption compliance program. The department shall submit quarterly progress reports that include the number of exemptions denied and the revenue received under this program. The legislative auditor general shall complete a performance audit of the principal residence exemption compliance program prior to April 1, 2007. Revenue generated to the state from the principal residence exemption compliance program shall be used to reimburse the state general fund for the \$500,000.00 appropriation prior to any other allocation. Additional funds from the revenue enhancement program and carry-forward appropriations may be used to support costs in excess of \$500,000.00.

April 16, 2007

Please find attached one copy of the Personal Property Audit Quarterly Report for the period January 1, 2007 — March 31, 2007. The report is required by Public Act 345 of 2006, the General Government Appropriations Act. Section 947 of the Act provides, in part, as follows:

(1) Of the \$5,856,800.00 included in part 1 for the revenue enhancement program, \$5,356,000.00 shall be used for revenue collection enhancement activities including auditing functions.

(2) The department of treasury shall submit quarterly progress reports to the senate and house of representatives standing committees on appropriations subcommittees on general government and the senate and house fiscal agencies, regarding personal property tax audits funded under subsection (1). The report shall include the number of audits, revenue generated, and number of complaints received by the department related to the audits.

Sincerely,
Frederick Headen, Director
Bureau of Local Government Services

The communications were referred to the Clerk.

Introduction of Bills

Rep. Hammel introduced

House Bill No. 4600, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 49a. The bill was read a first time by its title and referred to the Committee on Government Operations.

Rep. Hammel introduced

House Bill No. 4601, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," (MCL 38.1301 to 38.1408) by adding section 91a.

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

Reps. Schuitmaker, Condino and Bieda introduced

House Bill No. 4602, entitled

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending the title and sections 1, 2, and 5 (MCL 554.71, 554.72, and 554.75).

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

Rep. Schuitmaker introduced

House Bill No. 4603, entitled

A bill to amend 1949 PA 38, entitled "An act concerning perpetuities and the suspension of the absolute power of alienation with respect to interests in real property, making uniform the law as to real and personal property; and repealing sections 14, 15, 16, 17, 18, 19, 20 and 23 of chapter 62 of the Revised Statutes of 1846, being sections 554.14, 554.15, 554.16, 554.17, 554.18, 554.19, 554.20 and 554.23, respectively, of the Compiled Laws of 1948," by amending section 3 (MCL 554.53), as amended by 1988 PA 417.

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

Reps. Schuitmaker, Condino and Bieda introduced

House Bill No. 4604, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2702 and 2722 (MCL 700.2702 and 700.2722), section 2702 as amended by 2000 PA 54.

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

Reps. Angerer and Ebli introduced

House Bill No. 4605, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2004 PA 141.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Appropriations, by Rep. Gillard, Vice-Chair, reported

Senate Bill No. 220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

Nays: Rep. Vagnozzi

The Committee on Appropriations, by Rep. Gillard, Vice-Chair, reported

Senate Bill No. 221, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 81, and 147 as amended and section 65 as added by 2006 PA 342; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

Nays: Rep. Vagnozzi

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2007

Present: Reps. Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

Absent: Rep. Cushingberry

Excused: Rep. Cushingberry

Second Reading of Bills

Senate Bill No. 220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Green moved to amend the bill.

The question being on the seconding of the motion made by Rep. Green,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Green,

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

Roll Call No. 86

Yeas—43

Acciavatti	Emmons	Meekhof	Proos
Agema	Green	Meltzer	Robertson
Amos	Hansen	Moolenaar	Rocca
Ball	Hildenbrand	Moss	Schuitmaker
Booher	Hoogendyk	Nitz	Shaffer
Brandenburg	Horn	Opsommer	Sheen
Calley	Huizenga	Palmer	Steil
Casperson	Knollenberg	Palsrok	Walker
Caul	LaJoy	Pastor	Ward
DeRoche	Law, David	Pavlov	Wenke
Elsenheimer	Marleau	Pearce	

Nays—66

Accavitti	Dean	Jones, Rick	Polidori
Angerer	Dillon	Jones, Robert	Sak
Bauer	Donigan	Lahti	Scott
Bennett	Ebli	Law, Kathleen	Sheltrown
Bieda	Espinoza	LeBlanc	Simpson
Brown	Farrah	Leland	Smith, Alma
Byrnes	Gaffney	Lemmons	Smith, Virgil

Byrum	Gillard	Lindberg	Spade
Caswell	Gonzales	Mayes	Stahl
Cheeks	Griffin	McDowell	Stakoe
Clack	Hammel	Meadows	Tobocman
Clemente	Hammon	Meisner	Vagnozzi
Condino	Hood	Melton	Valentine
Constan	Hopgood	Miller	Warren
Corriveau	Hune	Moore	Wojno
Coulouris	Jackson	Nofs	Young
Cushingberry	Johnson		

In The Chair: Sak

The question being on the passage of the bill,

The bill was then not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 87

Yeas—49

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

Nays—60

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

In The Chair: Sak

Rep. Green, having reserved the right to explain his protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:

I voted against SB 220 today because it included a \$40 million cut in revenue sharing.

Revenue sharing is absolutely critical to maintaining the essential services the people of this state depend on. I cannot in good conscience vote for a bill that includes such drastic cuts to these services. Such shortfalls would be felt in every police station, firehouse, and public works facility in our State. Michigan has already seen the loss of 1,600 police officers since September 11, 2001. We have already seen firefighters consolidate and close house – Wyoming has just one fire station to serve a growing city of over 70,000! If local municipalities cannot afford these services we have broke our promise to the people who sent us to Lansing and I cannot be a part of it.

I recognize the need to balance the budget. While there are merits to SB 220, including many of the proposals found in this bill, I cannot support cuts to revenue sharing. It is a question of priorities and this one is simply too vital to the lives of my constituents.”

Second Reading of Bills

Senate Bill No. 221, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 81, and 147 as amended and section 65 as added by 2006 PA 342; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Walker moved to amend the bill as follows:

1. Amend page 17, line 15, after “**TO**” by striking out “**\$34.00**” and inserting “**\$25.00**”.

2. Amend page 17, line 16, after “**MEMBERSHIP**” by inserting “**FOR A DISTRICT THAT RECEIVES A PAYMENT UNDER SECTION 22C, AND FOR 2006-2007 ONLY, MINUS AN ADDITIONAL AMOUNT EQUAL TO \$44.00 TIMES THE DISTRICT’S 2006-2007 MEMBERSHIP FOR A DISTRICT THAT DOES NOT RECEIVE A PAYMENT UNDER SECTION 22C.**” .

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

Rep. Walker demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

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

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 3, line 17, by striking out “**\$11,249,521,200.00**” and inserting “**\$11,247,021,200.00**”.

2. Amend page 3, line 20, after “of” by striking “**68,900,000.00**” and inserting “**\$71,400,000.00**” and adjusting enacting section 1 accordingly.

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

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

The amendments fell.

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

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

Rep. Nitz moved that Rep. Emmons be excused temporarily from today’s session.

The motion prevailed.

Rep. Moore moved to amend the bill as follows:

1. Amend page 20, following line 23, by inserting:

“Sec. 22c. From the appropriation in section 11, there is allocated for 2006-2007 an amount not to exceed ~~\$20,000,000.00~~ **\$27,300,000.00** to make equity payments to districts that have a foundation allowance or per pupil payment calculated under section 20, including any adjustment under section 20(19), for 2006-2007 of less than ~~\$7,360.00~~ **\$7,369.00**. The equity payment for a district shall be an amount per membership pupil equal to the lesser of ~~\$23.00~~ **\$32.00** or the difference between ~~\$7,360.00~~ **\$7,369.00** and the district’s 2006-2007 foundation allowance or per pupil payment as calculated under section 20, including any adjustment under section 20(19).”.

2. Amend page 21, following line 8, by inserting:

“Sec. 29. (1) From the appropriation in section 11, there is allocated an amount not to exceed ~~\$20,000,000.00~~ **\$12,700,000.00** for 2006-2007 for additional payments to eligible districts for declining enrollment assistance.

(2) A district is eligible for a payment under this section if all of the following apply:

(a) The district’s pupil membership for the current fiscal year is less than the district’s pupil membership for the immediately preceding fiscal year and the district’s pupil membership for the immediately preceding fiscal year is less than the district’s pupil membership for the previously preceding fiscal year as calculated under section 6 for that fiscal year.

(b) The district’s average pupil membership is greater than the district’s pupil membership for the current fiscal year as calculated under section 6.

(c) The district is not eligible to receive funding under sections 6(4)(y) or 22d of this act.

(3) Payments to each eligible district shall be equal to the difference between the district’s average pupil membership and the district’s pupil membership as calculated under section 6 for the current fiscal year multiplied by the district’s foundation allowance as calculated under section 20. If the total amount of the payments calculated under this subsection exceeds the allocation for this section, the payment to each district shall be prorated on an equal percentage basis.

(4) For the purposes of this section, “average pupil membership” means the average of the district’s membership for the 3-fiscal-year period ending with the current fiscal year, calculated by adding the district’s actual membership for each of those 3 fiscal years, as otherwise calculated under section 6, and dividing the sum of those 3 membership figures by 3.”.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 88

Yeas—50

Acciavatti	Ebli	Marleau	Proos
Agema	Elsenheimer	Meekhof	Schuitmaker
Amos	Green	Meltzer	Shaffer
Angerer	Griffin	Moolenaar	Sheen
Ball	Hansen	Moore	Simpson
Booher	Hildenbrand	Moss	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Brown	Horn	Opsommer	Steil
Byrum	Hune	Palmer	Valentine
Calley	Jones, Rick	Palsrok	Walker
Caswell	Knollenberg	Pavlov	Ward
Caul	Lahti	Pearce	Wenke
DeRoche	LaJoy		

Nays—58

Accavitti	Dillon	Law, David	Polidori
Bauer	Donigan	Law, Kathleen	Robertson

Bennett	Espinoza	LeBlanc	Rocca
Bieda	Farrah	Leland	Sak
Byrnes	Gaffney	Lemmons	Scott
Casperson	Gillard	Lindberg	Sheltrown
Cheeks	Gonzales	Mayes	Smith, Alma
Clack	Hammel	McDowell	Smith, Virgil
Clemente	Hammon	Meadows	Spade
Condino	Hood	Meisner	Tobocman
Constan	Hopgood	Melton	Vagnozzi
Corriveau	Huizenga	Miller	Warren
Coulouris	Jackson	Nofs	Wojno
Cushingberry	Johnson	Pastor	Young
Dean	Jones, Robert		

In The Chair: Sak

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 3, line 19, after the second “of” by striking out “35,000,000.00” and inserting “\$97,400,000.00” and adjusting enacting section 1 accordingly.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 89

Yeas—103

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

Nays—2

Smith, Alma

Smith, Virgil

In The Chair: Sak

Rep. Tobocman 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. Tobocman moved to reconsider the vote by which the House did not pass **Senate Bill No. 220**.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 220, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(The bill was not passed on April 17, see today's Journal, p. 465.)

The question being on the passage of the bill,

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

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

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

Roll Call No. 90**Yeas—57**

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

Nays—51

Acciavatti	Green	Meltzer	Robertson
Agema	Hansen	Moolenaar	Rocca
Amos	Hildenbrand	Moore	Schuitmaker
Ball	Hoogendyk	Moss	Shaffer

Booher	Horn	Nitz	Sheen
Brandenburg	Huizenga	Nofs	Stahl
Calley	Hune	Opsommer	Stakoe
Casperson	Jones, Rick	Palmer	Steil
Caswell	Knollenberg	Palsrok	Walker
Caul	LaJoy	Pastor	Ward
DeRoche	Law, David	Pavlov	Warren
Elsenheimer	Marleau	Pearce	Wenke
Gaffney	Meekhof	Proos	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I could vote for this bill except it is a stunt to raise taxes by a tie bar. This bill in it’s original form was passed nearly unanimously in Approps this morning- this doesn’t even resemble the original. This is a good example of true partisan politics. This is not good government policy.”

Rep. Hoogendyk, 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 could have voted for these painful cuts to get this state’s budget in order, but I could not support the political stunt that was pulled by leadership to substitute the bill and then tie-bar it to a large business tax increase. Tax increases should be voted on their own merits.”

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

“Mr. Speaker and members of the House:

Thank you for this opportunity to explain why I am voting against these proposed budget cuts.

While I was on the campaign trail running for office this summer, I would inevitably get asked the question that I am sure many, if not all of you, have had to answer: why?, why would you want to run for office when our economy is so bad and Michigan is confronting so many challenges? For me the answer was clear. I ran for State Representative because I feel that although we are in an unprecedented budget crisis, we are also facing an incredible opportunity to create long-term reform that will invest in the extremely talented people of Michigan and move our state forward.

It is no secret that these are tough times. Our citizens are scared and they are frustrated. They are looking to us for a plan, and most importantly, they are looking to us for hope. I do not believe that these cuts represent that hope, but rather an admission of defeat, a concession that we cannot recover and grow stronger from this crisis.

Like many of you, I fought hard to stand here today as a State Representative for the good people of this state and I did so with the promise that I would fight just as hard when I got here - for education, for health care, for local government and critical public services, and for the programs that make Michigan a unique and great place to live. That is why I cannot, in good conscious, vote today to cut these programs and in essence pass the buck to our local elected officials, our school personnel, our public servants, and our citizens. That is why I cannot vote today to concede and to move our state backward.

I understand that this vote is but one of many that we will take on the budget, that it is just one part of the negotiating process that will continue to take place as we work through this crisis. As we stand here today taking this vote, however, I believe that we must be mindful that we are already forcing citizens to live without heating assistance during an usually cold Michigan April because we have exhausted the utility assistance fund, and that we are already forcing schools to increase class sizes and cut vital programs due to possibility of the reduction in state aid.

I am not interested in playing politics with our citizens' quality of life, nor will I stand idly by as Michigan enters a race to the bottom. It is time for a comprehensive plan that raises revenue for the programs that invest in our children and protect our most vulnerable citizens.

Ultimately, as State Representatives I believe that it is our responsibility to take our charge seriously and to lead in times of crisis, to take the hard votes when the choices are not easy and to stand up for the people who cannot. It is not a duty that can be shirked in times of trouble for it is how we handle these challenges that truly define us, as leaders and as a state; not just for tomorrow's five o'clock news or the next election cycle, but for the generations after us who must live with the decisions we make today and in the days ahead.

Ladies and Gentlemen, Michigan is waiting."

Rep. Tobocman moved that **Senate Bill No. 221** be placed on its immediate passage.

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

Senate Bill No. 221, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 22a, 22b, 26b, 31a, 51a, 51c, 81, and 147 as amended and section 65 as added by 2006 PA 342; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-3) 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. 91

Yeas—90

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

Nays—17

Agema	Hoogendyk	Moss	Robertson
Booher	Knollenberg	Palsrok	Sheen

Elsenheimer
Green
Hansen

Moolenaar
Moore

Pastor
Pearce

Stahl
Walker

In The Chair: Sak

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

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 3, 11, 11g, 11j, 17b, 22a, 22b, 26b, 31a, 51a, 51c, 65, 81, and 147 (MCL 388.1603, 388.1611, 388.1611g, 388.1611j, 388.1617b, 388.1622a, 388.1622b, 388.1626b, 388.1631a, 388.1651a, 388.1651c, 388.1665, 388.1681, and 388.1747), sections 3, 11, 11g, 11j, 17b, 22a, 22b, 26b, 31a, 51a, 51c, 81, and 147 as amended and section 65 as added by 2006 PA 342; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

"Mr. Speaker and members of the House:

This is another example of changing the original intent of the bill. It fixes only half the problem that the Senate bill solved. This was a stunt."

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

"Mr. Speaker and members of the House:

I will not vote for SB 221 because the Democratic House would not give an explanation of their amendments and substitute, even after it was properly requested according to House rules. I will not vote for a bill unless I know what I am voting for."

Rep. Hoogendyk, 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:

This is unconscionable. We waited three hours for a vote on SB221, then the Democrat leadership offered a substitute and opened the board for a vote. The substitute language was not available to read or review until AFTER the board was open for a vote. This was a bill with \$85 million in cuts. We had NO TIME to review the bill and cast a responsible vote. I probably would have voted YES, but could not possible evaluate the entire bill in 3 minutes."

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

"Mr. Speaker and members of the House:

We find ourselves in the extraordinary position of having to vote on a bill which we had not read, and which creates a 60+ million hole in the budget without discussion of how that shortfall would be funded. I vote no based on the majority's poor process, shameful lack of information and disrespect for the minority. The bills being moved today by the majority must truly be poor if they are being adopted under a shroud of darkness."

Rep. Stahl, 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 cannot for something in which explanation was denied and normal parliamentary process was circumvented. Also for cutting school building maps the day after the tragedy in Virginia."

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

Rep. Tobocman moved that the Committee on Transportation be discharged from further consideration of **House Resolution No. 56.**

(For first notice see House Journal No. 34, p. 458.)

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

The motion prevailed, a majority of the members present 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. 56.

A resolution to express opposition to Norfolk Southern Corporation's proposed sale of its rail lines from Ypsilanti to Kalamazoo and Grand Rapids to Kalamazoo and continuing to the Indiana border.

(For text of resolution, see House Journal No. 31, p. 410.)

(The resolution was discharged from the Committee on Transportation on April 17.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 4185, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2005 PA 187.

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

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4185, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2005 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. 92

Yeas—59

Accavitti
 Angerer
 Bauer
 Bennett
 Bieda
 Brown

Cushingberry
 Dean
 Dillon
 Donigan
 Ebli
 Espinoza

Jackson
 Johnson
 Jones, Robert
 Lahti
 Law, Kathleen
 LeBlanc

Polidori
 Sak
 Scott
 Sheltroun
 Simpson
 Smith, Alma

Byrnes	Farrah	Leland	Smith, Virgil
Byrum	Gaffney	Lemmons	Spade
Cheeks	Gillard	Lindberg	Tobocman
Clack	Gonzales	Mayes	Vagnozzi
Clemente	Griffin	McDowell	Valentine
Condino	Hammel	Meadows	Warren
Constan	Hammon	Meisner	Wojno
Corriveau	Hood	Melton	Young
Coulouris	Hopgood	Miller	

Nays—48

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

In The Chair: Sak

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4512, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 38 (MCL 38.38), as amended by 2002 PA 93.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4512, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 38 (MCL 38.38), as amended by 2002 PA 93.

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

Roll Call No. 93**Yeas—80**

Accavitti	Cushingberry	Jackson	Pavlov
Acciavatti	Dean	Johnson	Polidori
Angerer	Dillon	Jones, Robert	Proos
Bauer	Donigan	Lahti	Rocca
Bennett	Ebli	LaJoy	Sak
Bieda	Elsenheimer	Law, David	Schuitmaker
Booher	Espinoza	Law, Kathleen	Scott
Brown	Farrah	LeBlanc	Shaffer
Byrnes	Gaffney	Leland	Sheltrown
Byrum	Gillard	Lemmons	Simpson
Calley	Gonzales	Lindberg	Smith, Alma
Casperson	Green	Mayer	Smith, Virgil
Caswell	Griffin	McDowell	Spade
Cheeks	Hammel	Meadows	Tobocman
Clack	Hammon	Meisner	Vagnozzi
Clemente	Hansen	Melton	Valentine
Condino	Hildenbrand	Meltzer	Ward
Constan	Hood	Miller	Warren
Corriveau	Hopgood	Nofs	Wojno
Coulouris	Horn	Palsrok	Young

Nays—28

Agema	Huizenga	Moore	Robertson
Amos	Hune	Moss	Sheen
Ball	Jones, Rick	Nitz	Stahl
Brandenburg	Knollenberg	Opsommer	Stakoe
Caul	Marleau	Palmer	Steil
DeRoche	Meekhof	Pastor	Walker
Hoogendyk	Moolenaar	Pearce	Wenke

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4530, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 41, and 41a (MCL 38.1304, 38.1341, and 38.1341a), section 4 as amended by 2003 PA 17, section 41 as amended by 2002 PA 94, and section 41a as amended by 1996 PA 488.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4530, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 41, and 41a (MCL 38.1304, 38.1341, and 38.1341a), section 4 as amended by 2003 PA 17, section 41 as amended by 2002 PA 94, and section 41a as amended by 1996 PA 488.

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

Roll Call No. 94

Yeas—107

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

Nays—1

Wenke

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4375, entitled

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

The bill was read a second time.

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

The question being on the adoption of the substitute (H-1) offered by Rep. Sheen,

Rep. Ward demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-1) offered by Rep. Sheen,

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

Roll Call No. 95

Yeas—51

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

Nays—57

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

In The Chair: Sak

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4375, entitled

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

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

Roll Call No. 96

Yeas—59

Accavitti	Cushingberry	Jones, Robert	Sak
Angerer	Dean	Lahti	Scott
Bauer	Dillon	Law, Kathleen	Sheltrown
Bennett	Donigan	LeBlanc	Simpson
Bieda	Ebli	Leland	Smith, Alma
Brown	Espinoza	Lemmons	Smith, Virgil
Byrnes	Farrah	Lindberg	Spade
Byrum	Gillard	Mayes	Tobocman
Cheeks	Gonzales	McDowell	Vagnozzi
Clack	Hammel	Meadows	Valentine
Clemente	Hammon	Meisner	Warren
Condino	Hood	Melton	Wenke
Constan	Hopgood	Miller	Wojno
Corriveau	Jackson	Pavlov	Young
Coulouris	Johnson	Polidori	

Nays—49

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4376, entitled

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

The bill was read a second time.

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

The question being on the adoption of the substitute (H-1) offered by Rep. Sheen,

Rep. Ward demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-1) offered by Rep. Sheen,

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

Roll Call No. 97

Yeas—50

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

Nays—58

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

In The Chair: Sak

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

The question being on the adoption of the substitute (H-2) offered by Rep. Sheen,

Rep. Ward demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Sheen,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 98**Yeas—49**

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

Nays—59

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

In The Chair: Sak

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

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

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

House Bill No. 4376, entitled

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

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

Roll Call No. 99**Yeas—59**

Accavitti	Cushingberry	Johnson	Sak
Angerer	Dean	Jones, Robert	Scott

Bauer	Dillon	Lahti	Sheltrown
Bennett	Donigan	Law, Kathleen	Simpson
Bieda	Ebli	LeBlanc	Smith, Alma
Brown	Espinoza	Leland	Smith, Virgil
Byrnes	Farrah	Lemmons	Spade
Byrum	Gaffney	Lindberg	Tobocman
Cheeks	Gillard	Mayes	Vagnozzi
Clack	Gonzales	McDowell	Valentine
Clemente	Hammel	Meadows	Warren
Condino	Hammon	Meisner	Wenke
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young
Coulouris	Jackson	Polidori	

Nays—49

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4374, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4374, entitled

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

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

Roll Call No. 100**Yeas—107**

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4385, entitled**

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending sections 3, 4, 19, and 24 (MCL 205.3, 205.4, 205.19, and 205.24), section 3 as amended by 2006 PA 615, sections 4 and 19 as amended by 2002 PA 657, and section 24 as amended by 2003 PA 201.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4385, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 3, 4, 19, and 24 (MCL 205.3, 205.4, 205.19, and 205.24), section 3 as amended by 2006 PA 615, sections 4 and 19 as amended by 2002 PA 657, and section 24 as amended by 2003 PA 201.

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

Roll Call No. 101

Yeas—60

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

Nays—48

Acciavatti	Green	Meekhof	Pearce
Agema	Hansen	Meltzer	Proos
Amos	Hildenbrand	Moolenaar	Robertson
Ball	Hoogendyk	Moore	Rocca
Booher	Horn	Moss	Schuitmaker
Brandenburg	Huizenga	Nitz	Shaffer
Casperson	Hune	Nofs	Sheen
Caswell	Jones, Rick	Opsommer	Stahl
Caul	Knollenberg	Palmer	Stakoe
DeRoche	LaJoy	Palsrok	Steil

Elsenheimer
Gaffney

Law, David
Marleau

Pastor
Pavlov

Walker
Ward

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4386, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 30d.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4386, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 30d.

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

Roll Call No. 102

Yeas—60

Accavitti
Angerer
Bauer
Bennett
Bieda
Brown
Byrnes

Cushingberry
Dean
Dillon
Donigan
Ebli
Espinoza
Farrah

Jackson
Johnson
Jones, Robert
Lahti
Law, Kathleen
LeBlanc
Leland

Polidori
Sak
Scott
Sheltrown
Simpson
Smith, Alma
Smith, Virgil

Byrum	Gaffney	Lemmons	Spade
Cheeks	Gillard	Lindberg	Tobocman
Clack	Gonzales	Mayer	Vagnozzi
Clemente	Griffin	McDowell	Valentine
Condino	Hammel	Meadows	Warren
Constan	Hammon	Meisner	Wenke
Corriveau	Hood	Melton	Wojno
Coulouris	Hopgood	Miller	Young

Nays—48

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

Unconstitutional to charge taxes to businesses that have no physical presence.”

Second Reading of Bills

House Bill No. 4387, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 36 (MCL 206.36).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4387, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 36 (MCL 206.36).

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

Roll Call No. 103**Yeas—57**

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

Nays—51

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4388, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4388, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

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

Roll Call No. 104

Yeas—57

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

Nays—51

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4271, entitled

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

provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2003 PA 114, and by adding section 3b.

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

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

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4271, entitled

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 28 (MCL 205.28), as amended by 2003 PA 114, and by adding section 3b.

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

Roll Call No. 105

Yeas—64

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

Nays—44

Acciavatti	Green	Marleau	Pearce
Agema	Hansen	Meekhof	Proos

Amos	Hildenbrand	Meltzer	Robertson
Booher	Hoogendyk	Moolenaar	Schuitmaker
Brandenburg	Huizenga	Moss	Shaffer
Byrnes	Hune	Nitz	Sheen
Casperson	Jackson	Nofs	Stahl
Caswell	Knollenberg	Opsommer	Stakoe
Caul	Lahti	Palmer	Steil
DeRoche	LaJoy	Pastor	Walker
Elsenheimer	Law, David	Pavlov	Ward

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

This bill assumes the treasury never makes a mistake. This is not a communist country and it hurts innocent people.”

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

“Mr. Speaker and members of the House:

I voted no on HB4271 because it requires the State to hire an additional employee to administer this new program. We are in a fiscal crisis and should have a freeze on any new hiring. This is an additional \$250,000 cost to the State.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gonzales, Ball, Bieda, Constan, Cushingberry, Dean, Elsenheimer, Espinoza, Farrah, Green, Hammel, Hammon, Hansen, Hopgood, Johnson, Rick Jones, Robert Jones, LeBlanc, Lemmons, Marleau, Mayes, McDowell, Nitz, Pastor, Polidori, Proos, Sak, Sheltroun, Alma Smith, Spade, Stakoe, Tobocman, Vagnozzi, Valentine and Wojno offered the following resolution:

House Resolution No. 62.

A resolution recognizing and congratulating the 2007 Mott Community College (MCC) men’s basketball team for winning the NJCAA Division II National Championship.

Whereas, It is a great privilege and honor to join with family and friends, Mott Community College, Genesee County, and the state of Michigan as we celebrate the outstanding achievement and amazing win of the Mott Community College men’s basketball team; and

Whereas, Much to the delight of their loyal fans, the MCC Bears, under the leadership of Coach Steve Schmidt, have earned the respect of college sports followers through their talent, teamwork, and determination with a 75-61 win in the NJCAA Division II National Championship; and

Whereas, It is the second national championship for the Mott Bears in the last five years. The Bears won its first national championship in 2003 and was runner-up in 2001 and 2004. Mott Community College is home to the only junior college basketball program in the country to have played in four title games; and

Whereas, Winning titles and compiling outstanding seasons is never a matter of chance, it is something that is earned through hard work. All teams show their true abilities and dedication over a long season, but what distinguishes the best, is the effort that appears in practice, far removed from the excitement of game day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize and congratulate the 2007 Mott Community College men’s basketball team and Coach Steve Schmidt on winning the NJCAA Division II National Championship. We admire the determination, dedication, team spirit, and hard work of these talented young people. This group of student-athletes has generated great pride throughout our state.

Pending the reference of the resolution to a committee,
Rep. Tobocman moved that Rule 71 be suspended and the resolution be considered at this time.
The motion prevailed, 3/5 of the members present voting therefor.
The question being on the adoption of the resolution,
The resolution was adopted.

Reps. Cushingberry, Jackson, Bieda, Brandenburg, Constan, Dean, Espinoza, Farrah, Gonzales, Hammel, Johnson, Robert Jones, LeBlanc, Lemmons, Mayes, Sheltroun, Alma Smith, Tobocman, Vagnozzi and Wojno offered the following resolution:

House Resolution No. 63.

A resolution to memorialize the Congress of the United States to enact legislation to prohibit federal funds from going to any business or entity that works with the Sudanese government.

Whereas, With casualties running in the hundreds of thousands and millions displaced, the humanitarian crisis in the Darfur region of the Sudan has defied solution for many years. The heartbreaking atrocities being carried out by the Sudanese government and the Janjaweed militia, which were acknowledged to be genocide by the Bush administration in 2004, clearly cannot be brought to a halt by diplomatic means or by the weight of criticism from around the world; and

Whereas, With each report of tribal massacre, rape, and unspeakable cruelty, the need for effective action grows. Many are reminded of the pressures that were brought to bear upon the South African system of apartheid a generation ago by a rising tide of economic sanctions from the United States and other countries; and

Whereas, It is long past time for the United States to put in place formal measures to halt the flow of American dollars to any entity or business that works with the Sudanese government in any capacity other than those that are purely humanitarian or peacekeeping in nature. Government contracts and pension funds must not be going to businesses or entities operating in the Sudan. American businesses dealing with the Sudanese government should disclose their actions. It is a moral imperative that we must make every possible effort to stop the atrocities so that a long-term solution to the region's problems can be found; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to prohibit federal funds from going to any business or entity that works with the Sudanese government in any capacity other than solely humanitarian or peacekeeping efforts; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Mayes, Bieda, Byrum, Constan, Cushingberry, Dean, Espinoza, Farrah, Gonzales, Green, Hammel, Hopgood, Johnson, Robert Jones, LeBlanc, Lemmons, McDowell, Polidori, Proos, Sak, Shaffer, Sheltroun, Spade, Tobocman, Vagnozzi and Wojno offered the following resolution:

House Resolution No. 64.

A resolution to memorialize the Congress of the United States to take action to investigate and provide remedies for those injured by the recent contamination of pet food and deaths of family pets.

Whereas, On March 16, 2007, Menu Foods announced a precautionary recall of cat and dog food it manufactured between December 3, 2006, and March 6, 2007. Over 60 million containers of dog and cat food were recalled under nearly 100 brands. The recall was prompted by consumer complaints received by the manufacturer and reported instances of cats and dogs developing kidney failure after eating the affected product; and

Whereas, Reports suggest hundreds of family pets have died after eating the contaminated food. The United States Food and Drug Administration has received more than 8,000 complaints and Menu Foods has received over 300,000 complaints; and

Whereas, This incident has far-reaching financial and emotional impacts on pet owners in Michigan and all of the United States. Pet food manufacturers and suppliers must take responsibility to inform and assist consumers quickly when a tragedy such as this one occurs. Immediate action to determine the cause and remedy the situation is necessary. Aggressive research and reporting are imperative to prevent future mishaps; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to actively investigate fully on the terrible deaths of family pets due to contaminated pet foods; and be it further

Resolved, That we memorialize the Congress of the United States to ensure that pet food manufacturers and suppliers be held civilly liable; and be it further

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

The resolution was referred to the Committee on Agriculture.

Reps. Angerer, Ball, Bieda, Booher, Byrum, Caswell, Constan, Cushingberry, Dean, Elsenheimer, Espinoza, Farrah, Gonzales, Hammel, Hammon, Hopgood, Johnson, Robert Jones, LeBlanc, Lemmons, Mayes, McDowell, Nitz, Palmer, Polidori, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Spade, Tobocman, Vagnozzi, Valentine and Wojno offered the following resolution:

House Resolution No. 65.

A resolution commemorating the week of July 15 – 21, 2007, as Agricultural Extension Agent Recognition Week in the state of Michigan.

Whereas, Agricultural production is Michigan's second leading industry, contributing more than \$37 billion to Michigan's economy; and

Whereas, Michigan is the second most agriculturally diverse state in the country; and

Whereas, There are Agricultural Extension Agents in all 83 Michigan counties who contribute substantially to the growth and success of the agricultural industry in the state of Michigan; and

Whereas, More than 1,600 agents from 46 states are expected to participate in the National Association of County Agricultural Agents' (NACAA) annual conference in Grand Rapids during the third week of July; and

Whereas, The Grand Rapids Convention and Tourism Bureau estimates the direct economic impact of the NACAA conference is over \$2.4 million; and

Whereas, The last time the state of Michigan hosted the NACAA annual conference was in 1955, more than two full years prior to opening of the Mackinac Bridge; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the week of July 15 – 21, 2007, as Agricultural Extension Agent Recognition Week in the state of Michigan. It is with a deep sense of gratitude that we acknowledge the selfless and devoted public service that Agricultural Extension Agents provide not just to farmers, but to all Michigan's residents and our economy; and be it further

Resolved, That a copy of this resolution be transmitted to each member of the Michigan Association of Extension Agents Executive Committee.

The resolution was referred to the Committee on Agriculture.

Reps. Hoogendyk, Booher, Brandenburg, Caswell, Dean, Elsenheimer, Espinoza, Rick Jones, LeBlanc, Marleau, Nitz, Pastor, Shaffer and Stakoe offered the following resolution:

House Resolution No. 66.

A resolution to memorialize the United States Congress to enact a congressional pardon for border patrol agents Ignacio Ramos and Jose Compean.

Whereas, Border patrol agents Ramos and Compean were convicted and sentenced for the pursuit and shooting of drug smuggler Osvaldo Aldrete-Davila. Mr. Aldrete-Davila had been fleeing at the time, and the border patrol agents believed Mr. Aldrete-Davila had a firearm in his hand, and so the agents fired in self-defense; and

Whereas, Mr. Aldrete-Davila is a well known drug smuggler who at the time of the shooting was trying to smuggle over 700 pounds of marijuana into the United States. Mr. Aldrete-Davila was given immunity by the United States government to testify against the border patrol agents. After the conviction of the agents, evidence has come to light that Mr. Aldrete-Davila has continued to smuggle drugs into this country even after the shooting; and

Whereas, Our border patrol agents risk their lives on a daily basis protecting the United States borders from various criminals, including drug dealers and potential terrorists. The job of a border patrol agent is chaotic and dangerous at times. Our border patrol agents should be given the benefit of the doubt and should be protected from aggressive prosecution. It is a grave injustice to have prosecuted agents Ramos and Compean for this shooting and is a disservice to those border patrol agents who risk their lives on the front lines protecting our borders; and

Whereas, H.R. 563 is federal legislation that would enact a congressional pardon for agents Ramos and Compean and would encourage the Department of Homeland Security to review the rules of engagement presently used by the United States Border Patrol; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to enact a congressional pardon for border patrol agents Ignacio Ramos and Jose Compean; and be it further

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

The resolution was referred to the Committee on Oversight and Investigations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Meadows offered the following concurrent resolution:

House Concurrent Resolution No. 19.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Michigan State University relative to the Michigan State University Chemistry Building Renovations/Cooling Towers.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Michigan State University (the “Educational Institution”), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the “Authority”); and

Whereas, The site for the Michigan State University Chemistry Building Renovations/Cooling Towers (the “Facility”) is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the “State”) may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the “Lease”); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Michigan State University Chemistry Building Renovations/Cooling Towers shall not exceed \$28,344,500 (the Authority share is \$19,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$8,344,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$19,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of “True Rental” for the Facility shall be within or below the range of \$1,345,000 and \$1,759,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Michigan State University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Reports of Standing Committees

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

House Bill No. 4591, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1538 and 1539 (MCL 380.1538 and 380.1539), section 1538 as added by 1988 PA 339 and section 1539 as amended by 2004 PA 76, and by adding section 1538a.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Lindberg, Meisner, Miller, Polidori and Scott

Nays: Reps. Moolenaar, Emmons, Hoogendyk, Pearce, Knollenberg and Opsommer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 12, 2007

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

Absent: Reps. Hopgood and Hildenbrand

Excused: Reps. Hopgood and Hildenbrand

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

House Bill No. 4580, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 75 (MCL 38.1075), as amended by 1998 PA 501.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, line 19, by striking out "**(D)**" and inserting "**(iv)**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wojno, Kathleen Law, Condino, Polidori, Young and Hoogendyk

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2007

Present: Reps. Wojno, Kathleen Law, Condino, Polidori, Young and Hoogendyk

Absent: Reps. Constan, Hune and David Law

Excused: Reps. Constan, Hune and David Law

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

Senate Bill No. 290, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending section 2 (MCL 493.52), as amended by 1997 PA 91.

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. Coulouris, Johnson, Clemente, Virgil Smith, Moore, Robertson and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2007

Present: Reps. Coulouris, Johnson, Clemente, Virgil Smith, Moore, Robertson and Calley

Absent: Reps. Mayes and Green

Excused: Reps. Mayes and Green

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2007

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

Absent: Rep. Corriveau

Excused: Rep. Corriveau

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2007

Present: Reps. Meisner, Robert Jones, Clemente, Coulouris, Griffin, Johnson, Sheltroun, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe and Knollenberg

Absent: Reps. Accavitti, Byrum, Dean, Simpson, Rick Jones and Meltzer

Excused: Reps. Accavitti, Byrum, Dean, Simpson, Rick Jones and Meltzer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 17, 2007

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

Messages from the Senate**Senate Bill No. 79, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 223 (MCL 257.223).

The Senate has passed the bill.

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

Second Reading of Bills**House Bill No. 4383, entitled**

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4383, entitled**

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

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

Roll Call No. 106**Yeas—58**

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

Nays—51

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

In The Chair: Sak

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4384**.

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

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

Second Reading of Bills

House Bill No. 4384, entitled

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

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4384, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550; 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. 107

Yeas—57

Accavitti	Dean	Johnson	Polidori
Angerer	Dillon	Jones, Robert	Sak
Bauer	Donigan	Lahti	Scott
Bennett	Ebli	Law, Kathleen	Sheltrown
Bieda	Espinoza	LeBlanc	Simpson
Brown	Farrah	Leland	Smith, Alma
Byrnes	Gillard	Lemmons	Smith, Virgil
Cheeks	Gonzales	Lindberg	Spade
Clack	Griffin	Mayer	Tobocman
Clemente	Hammel	McDowell	Vagnozzi
Condino	Hammon	Meadows	Valentine
Constan	Hood	Meisner	Warren
Corriveau	Hopgood	Melton	Wojno
Coulouris	Jackson	Miller	Young
Cushingberry			

Nays—52

Acciavatti	Emmons	Marleau	Pearce
Agema	Gaffney	Meekhof	Proos
Amos	Green	Meltzer	Robertson
Ball	Hansen	Moolenaar	Rocca
Booher	Hildenbrand	Moore	Schuitmaker
Brandenburg	Hoogendyk	Moss	Shaffer
Byrum	Horn	Nitz	Sheen
Calley	Huizenga	Nofs	Stahl
Casperson	Hune	Opsommer	Stakoe

Caswell	Jones, Rick	Palmer	Steil
Caul	Knollenberg	Palsrok	Walker
DeRoche	LaJoy	Pastor	Ward
Elsenheimer	Law, David	Pavlov	Wenke

In The Chair: Sak

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

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

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 8c and 9 (MCL 211.8c and 211.9), section 8c as added by 1998 PA 537 and section 9 as amended by 2006 PA 550; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Great Lakes and Environment be discharged from further consideration of **House Bill No. 4221**.

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

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

Second Reading of Bills

House Bill No. 4221, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 11532a and 11532b.

The bill was read a second time.

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

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

Rep. Griffin moved to amend the bill as follows:

1. Amend page 1, line 3, after "**LANDFILL**" by striking out the balance of the line through "**INCINERATOR**" on line 4.

2. Amend page 1, line 5, after "**LANDFILL**" by striking out the balance of the subsection and inserting a period.

3. Amend page 1, line 8, after "**LANDFILL**" by striking out the balance of the line through "**INCINERATOR**" on line 9.

4. Amend page 2, line 4, after "**LANDFILL**" by striking out the balance of the line through "**INCINERATOR**" on line 5.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4221, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 11532a and 11532b.

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

Roll Call No. 108

Yeas—56

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

Nays—53

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Stahl, 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:

This legislation has been discharged during session and has not appreciated due process of committee. Again without proper research and good objective discussion there is no way to make a proper and conclusive decision. Thus I vote

no. Also because of the tie bar legislation that has not even been introduced it would be premature and irresponsible to vote for something unknown.”

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

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 18, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives