

**No. 94**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

---

---

House Chamber, Lansing, Wednesday, December 13, 2006.

10:30 a.m.

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

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

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

e/d/s = entered during session

Rep. Gary Newell, from the 87th District, offered the following invocation:

“Father, we thank You once again for the opportunity to be here today, to serve the people of the great state of Michigan. Lord, individually, I thank You for the opportunity that I have had to be here for the last 6 years, the things that we’ve seen accomplished by this body and the friends that we have made over that time. We pray for Your blessing on this group as we move forward. Many of these folks will be going their different ways, but the body itself will move forward and we pray for Your blessing on the body as it does that. Father, we pray that You will always give us the ability to have the wisdom to know what is right and the strength to follow through on it. Again, we pray for Your blessing on this session today. We pray in Thy heavenly name, Amen.”

---

Rep. Stakoe moved that Rep. Steil be excused from today’s session.  
The motion prevailed.

### Notices

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1219-1222. Had I been present, I would have voted ‘yea’.”

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

#### **Senate Bill No. 1039, entitled**

A bill to amend 2004 PA 175, entitled “Streamlined sales and use tax revenue equalization act,” (MCL 205.171 to 205.191) by adding section 14.

The bill was read a second time.

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

The motion prevailed.

#### **Senate Bill No. 649, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

The bill was read a second time.

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

The motion prevailed.

#### **Senate Bill No. 926, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 74 (MCL 125.2074), as amended by 1987 PA 278.

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

The motion prevailed.

**Senate Bill No. 65, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7jj. The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 454, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174 (MCL 750.174), as amended by 1998 PA 312.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 455, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2006 PA 151.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 1032, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1 of chapter XI (MCL 771.1), as amended by 2004 PA 219.

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

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

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

The motion prevailed.

**Senate Bill No. 1203, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3240 and 3241a (MCL 600.3240 and 600.3241a), section 3240 as amended by 2004 PA 538 and section 3241a as added by 1986 PA 94.

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

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

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

The motion prevailed.

**Senate Bill No. 1106, entitled**

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending sections 2, 3, and 3a (MCL 551.102, 551.103, and 551.103a), section 2 as amended by 1998 PA 333, section 3 as amended by 1984 PA 346, and section 3a as amended by 1989 PA 270.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 1274, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20906, 20910, and 20919 (MCL 333.20906, 333.20910, and 333.20919), section 20906 as amended by 2004 PA 6, section 20910 as amended by 2004 PA 582, and section 20919 as amended by 2003 PA 233, and by adding section 20911; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 459, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending the title and sections 104, 106, 107, 114, and 201 (MCL 570.1104, 570.1106, 570.1107, 570.1114, and 570.1201), sections 104, 106, 107, and 114 as amended by 1982 PA 17 and section 201 as amended by 1984 PA 190, and by adding section 114a.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Stakoe moved that Reps. Ward and DeRoche be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 459, entitled**

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending the title and sections 104, 106, 107, 114, and 201 (MCL 570.1104, 570.1106, 570.1107, 570.1114, and 570.1201), sections 104, 106, 107, and 114 as amended by 1982 PA 17 and section 201 as amended by 1984 PA 190, and by adding section 114a.

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

**Roll Call No. 1223**

**Yeas—106**

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

Dillon	Kahn	Pavlov	Williams
Donigan	Kolb	Pearce	Wojno
Drolet	Kooiman	Plakas	Zelenko
Ebli	LaJoy		

**Nays—0**

In The Chair: Kooiman

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

“An act to establish, protect, and enforce by lien the rights of persons performing labor or providing material or equipment for the improvement of real property; to provide for certain defenses with respect thereto; to establish a homeowner construction lien recovery fund within the department of licensing and regulation; to provide for the powers and duties of certain state officers; to provide for the assessments of certain occupations; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

**Second Reading of Bills**

**Senate Bill No. 1422, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16908 (MCL 324.16908), as amended by 2002 PA 496.

The bill was read a second time.

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

The motion prevailed.

Rep. Stakoe 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. 1422, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16908 (MCL 324.16908), as amended by 2002 PA 496.

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

**Roll Call No. 1224**

**Yeas—101**

Accavitti	Emmons	Leland	Proos
Acciavatti	Espinoza	Lemmons, III	Robertson
Adamini	Farhat	Lemmons, Jr.	Rocca
Amos	Farrah	Lipsey	Sak
Anderson	Gaffney	Marleau	Schuitmaker
Angerer	Gillard	Mayer	Shaffer
Ball	Gleason	McDowell	Sheen
Bennett	Gonzales	Meadows	Sheltrown
Bieda	Green	Meisner	Smith, Alma
Booher	Hansen	Meyer	Smith, Virgil
Brandenburg	Hildenbrand	Miller	Spade

Brown	Hood	Moolenaar	Stahl
Byrnes	Hopgood	Moore	Stakoe
Byrum	Huizenga	Mortimer	Stewart
Casperson	Hummel	Murphy	Taub
Caswell	Hune	Newell	Tobocman
Caul	Hunter	Nitz	Vagnozzi
Cheeks	Jones, Hayes	Nofs	Van Regenmorter
Clack	Jones, Rick	Palmer	Vander Veen
Clemente	Kahn	Palsrok	Walker
Condino	Kolb	Pastor	Waters
Cushingberry	Kooiman	Pavlov	Wenke
Dillon	LaJoy	Pearce	Williams
Donigan	Law, David	Plakas	Wojno
Ebli	Law, Kathleen	Polidori	Zelenko
Elsenheimer			

### Nays—5

Baxter	Garfield	Gosselin	Hoogendyk
Drolet			

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Tobocman moved that Rep. Dillon be excused temporarily from today’s session.

The motion prevailed.

### Senate Bill No. 868, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78 and 78m (MCL 211.78 and 211.78m), section 78 as added by 1999 PA 123 and section 78m as amended by 2003 PA 263.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Shaffer 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,

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

The motion prevailed.

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



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

Rep. Stakoe moved that Rep. Meyer be excused temporarily from today’s session. The motion prevailed.

The House returned to the consideration of **Senate Bill No. 868, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 78 and 78m (MCL 211.78 and 211.78m), section 78 as added by 1999 PA 123 and section 78m as amended by 2003 PA 263.

(The bill was considered earlier today, see today’s Journal, p. 3058.)

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. 1225**

**Yeas—98**

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

**Nays—6**

Baxter	Garfield	Hoogendyk	Hummel
Drolet	Gosselin		

In The Chair: Elsenheimer

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

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

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 78m (MCL 211.78m), as amended by 2003 PA 263.

The motion prevailed.

The House agreed to the title as amended.

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

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

---

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1225. Had I been present, I would have voted 'yea'."

### Notices

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1219-1222. Had I been present, I would have voted 'yea'."

---

Rep. Pastor moved that Rep. Shaffer be excused temporarily from today's session.

The motion prevailed.

The Speaker Pro Tempore resumed the Chair.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1101, entitled

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5b (MCL 211.905b), as amended by 2004 PA 543.

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

#### Roll Call No. 1226

#### Yeas—65

Accavitti  
Adamini  
Anderson

Ebli  
Espinoza  
Farrah

Lemmons, Jr.  
Lipsey  
Mayer

Sheen  
Sheltrown  
Smith, Alma



Angerer	Gaffney	McDowell	Smith, Virgil
Bennett	Gillard	Meadows	Spade
Bieda	Gleason	Meisner	Stewart
Brandenburg	Gonzales	Meyer	Tobocman
Brown	Hood	Miller	Vagnozzi
Byrnes	Hoogendyk	Mortimer	Van Regenmorter
Byrum	Hopgood	Murphy	Vander Veen
Caul	Hunter	Newell	Walker
Cheeks	Jones, Hayes	Plakas	Waters
Clack	Kolb	Polidori	Wenke
Clemente	Law, Kathleen	Rocca	Williams
Condino	Leland	Sak	Wojno
Cushingberry	Lemmons, III	Schuitmaker	Zelenko
Donigan			

**Nays—40**

Acciavatti	Farhat	Kahn	Palsrok
Amos	Garfield	Kooiman	Pastor
Ball	Gosselin	LaJoy	Pavlov
Baxter	Green	Law, David	Pearce
Booher	Hansen	Marleau	Proos
Casperson	Hildenbrand	Moolenaar	Robertson
Caswell	Huizenga	Moore	Stahl
Drolet	Hummel	Nitz	Stakoe
Elsenheimer	Hune	Nofs	Taub
Emmons	Jones, Rick	Palmer	Ward

In The Chair: Kooiman

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

“An act to provide for the levy and collection of a state education tax; to provide for the distribution of the tax; and to prescribe the duties of certain local officials and state officers,”

The House agreed to the full title.

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

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

---

Rep. Sak moved that Rep. Virgil Smith be excused temporarily from today’s session.

The motion prevailed.

**Senate Bill No. 1399, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 226a (MCL 257.226a), as amended by 2002 PA 642.

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

**Roll Call No. 1227****Yeas—104**

Accavitti	Elsenheimer	LaJoy	Plakas
Acciavatti	Emmons	Law, David	Polidori

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

### Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

---

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1226-1227. Had I been present, I would have voted ‘yea.’”

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

**Senate Bill No. 1110, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2a of chapter XI (MCL 771.2a), as amended by 2005 PA 126.

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

**Roll Call No. 1228**

**Yeas—104**

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

**Nays—0**

In The Chair: Kooiman

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

"An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties,

and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1228. Had I been present, I would have voted ‘yea’.”

### Senate Bill No. 95, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1284 (MCL 380.1284), as amended by 1997 PA 53.

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

### Roll Call No. 1229

### Yeas—106

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

### Nays—0

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

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

The House agreed to the full title.

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

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

---

Rep. Virgil Smith, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1227-1229. Had I been present, I would have voted ‘yea’.”

### **Comments and Recommendations**

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

The motion prevailed.

Rep. Byrum:

“Thank you, Mr. Speaker.

Thank you to my colleagues. I am grateful for this opportunity to say farewell to a chamber that I deeply love and respect and that has been a part of my life for 16 years. I first entered these chambers in 1972 as a House page. My claim to fame back then was that I was the first female allowed to clean the chandeliers. Now I am leaving as the first woman to head a legislative caucus. Back in 1991, I was the new kid on the block. Today, in this era of term limits, it seems like everyone is a new kid on the block! When I started, I was in the company of seasoned veterans like Representatives Lynn Jondahl and David Hollister. Debbie Stabenow was my state senator. But in some ways, the more things change the more they stay the same. Debbie is still my Senator and I still feel like I am cleaning things up around here.

First, I must thank the voters of Ingham County. They elected me to serve eight years on the County Commission, eight years in the Michigan House, and eight years in the Michigan Senate. I have been blessed to represent a thoughtful and hard-working community whose support has been an inspiration to me. I have always felt that it is important to give back to the community because of the opportunities we have been given. I have been given a lot by this community. I was born and raised here. My husband and I went to college here, raised our family here, and grew our businesses here. This community has been good to me and I hope I have done right by them in my work here.

I have a deep respect for this legislative body and I believe the people’s house works best with a free and open discussion of the issues. That is why I have never begrudged partisan differences. Over the years, I have been privileged to work with many people who worked diligently to be a part of that debate. Some I agreed with, some I did not. I always knew they were pursuing what they believed in. People like former Governor John Engler, Lt. Gov. Cherry, and Governor Granholm. Former Speaker Lew Dodak. Co-speakers in that unique session in 1993 and 1994, Paul Hillegonds and Curtis Hertel. Senate Democratic Leader Bob Emerson and Senate Republican Leaders Dick Posthumous, Dan DeGrow, and Ken Sikkema. Former members Pat Gagliardi, Gary Randall, Burton Leland, Kirk Profit, Joe Palamara, Morris Hood Sr., Virgil Smith Sr., Jerry Bartnik and the incomparable legend Dominic Jacobetti.

Thank you, Speaker DeRoche. Craig, we certainly had our differences. I know I was a tough, competitive minority leader who gave you great frustration. But the care and compassion you had for the members during personal difficulties and times of sorrow showed leadership and it is appreciated. Thank you. You can see that the privilege was all mine to serve with so many who have been part of this adventure. To my Democratic colleagues, I want to thank

you for choosing me to be your leader twice. I hope I have been able to meet the responsibility you placed in me. I want to thank Mary Waters, my friend and Democratic Floor Leader. Your friendship means a great deal to me. I want to thank Senator Gretchen Whitmer and Representatives Rich Brown, Steve Adamini and Mike Murphy for persuading our Democratic colleagues that it was alright to pick a "senator" to be the leader of our Caucus! Thank you for giving me the chance to work for you and help put you in position to hold the gavel.

To my Democratic Colleagues, I suppose there are many of our caucus members who have heard me talk one too many times about the needs of our members from competitive districts. To the extent that my focus on those members exasperated anyone, you deserve some final thoughts from me on that issue to help explain my personal focus on these seats. Without question, every one of us has sacrificed to be here. Any one of us who puts our name on a ballot expose ourselves to challenging scrutiny and potential failure. But I feel very close to the two classes of Representatives who ran in competitive seats while I was leader of this caucus. Their victories represent our margin of victory in this chamber. Because my district has been competitive my entire legislative career, my family has sacrificed a great deal over those years as I have campaigned and worked here. So, as a leader, when I have asked someone to run or been involved in their race, it has been with the personal knowledge of how much their families will sacrifice and how grueling that campaign can be. Then when the campaigns were done and they came to this chamber, I exhorted and cajoled and prodded and pushed them to work hard in their districts. I focused resources and time and effort on helping them to do their job. I could not let their sacrifice end in failure, even if I was occasionally referred to as Mother Superior. You cannot go through that experience on the front lines of the political battlefield with someone without developing a strong commitment to their success and well-being. To each of you who comes from a competitive seat, know that my thoughts are with you as I leave this chamber. We did this together. Every door knocked, every dollar raised, every sleepless night is appreciated more than you can know.

Each of us knows that, while we are in the spotlight, there are so many dedicated staff behind us. I always remind myself that our accolades and our successes are the result of tremendous teamwork that takes place behind the scenes. I am blessed to have hard working, gifted men and women working for me. First of all, I want to thank Larry Steckelberg, who has been my field general and loyal aide for 14 years. Larry and I have been through a lot together. We ran many campaigns together. We have been to more community events, neighborhood picnics and town halls than we can remember. I want to thank Ross Fort, who ran a stellar constituent services program. Tens of thousands of citizens in the 67th District have direct access to me and my office, year round, thanks to Ross' outstanding work. I want to thank Linda Willis, my able assistant and gatekeeper. I want to thank Julie Dow and Tiffany Reeser, who ran my front office very well and presented the best face for my office, without fail. I would also like to thank my former staff, Jean Taylor, Mary Keyes, Alan Canady, Tina Weatherwax-Grant and Chris Hedberg.

I want to thank the policy staff. Thank you to Peter Cunningham, the current director, to Arnold Weinfeld before him, and to the entire staff. You are a first-rate policy team working under very difficult circumstances. I could not have asked for more. Your public service is greatly appreciated.

I want to thank Mark Fisk, our Director of Communications, and the best team of writers and organizers of any Caucus in the nation. Your team brought Democrats from our lowest point since the 1950s to new heights, recapturing the majority in the House, something no one believed was possible. I truly believe – and many others both here in Michigan and across our nation will agree with me – that Mark ran the most focused and disciplined communications department and political operation anywhere in the country. We did some unorthodox – some people would say "unusual" – things together. Mark convinced me that if we built a 6-foot-tall wooden contraption with cartoon trash trucks and a red LED display on the front, we could bring attention to the problem of Canadian and out-of-state trash. They say there is a very fine line between genius and madness. The Trash-O-Meter was a bit of both. Dan Farough, our amazing press secretary, thank you for your professionalism in turning me – and so many others – into a message machine. Azlan Ibrahim, my lightning fast writer. You always made me sound good. Dan Mahoney, our Finance Director, thank you for your leadership, friendship and hard work. I am truly thankful to Mark and his entire team for working tirelessly for the past four years to engineer the most remarkable performance Democrats have had in 50 years!

I want thank Governor Jennifer Granholm. Governor, it has been a privilege to be at your side in so many legislative battles over the last four years. I have served with only two Governors. It should be no surprise, I like you best. I want to thank her entire staff for working with us, especially Tim Hughes, Jenita Moore, and the team. I want to also thank Mary Lannoye, the master of budget detail, with whom I have worked since my time as an Ingham County Commissioner.

Finally – yes, finally! I want to say a special thanks to my family and acknowledge, here on the House floor, all the tremendous support, understanding, love and sacrifice they have given to me over the years. Our families sacrifice a lot for our work here. In 1993, when we eliminated property tax and set the stage for proposal A, a local radio station called my house to put me on the air. When my 12 year old son answered, they asked him...on the air...what he thought of his mother eliminating funding for schools. His response: "She'll fix it." Then, later that year, we worked through the night to pass the school funding proposal with the session ending on Christmas Eve morning. My son called me to tell me he had searched the house and had found no presents. He told me that I HAD to get another job. I want to thank my family. My husband Jim, my daughter Barb and her husband Brad Delaney, and my son Jim and his wife Casey

Markle. I look forward to spending more time with my husband Jim, traveling with him to some truly wonderful places, enjoying our cottage up in Garland and taking our boat out to Michigan's beautiful Great Lakes. I look forward to spending more time with my son and my daughter-in-law, who will bless my husband and me with our first grandchild in July! I look forward to watching my daughter Barb serve as State Representative for the 67th District. I am very, very proud of her. She worked very hard and I know she will be an outstanding legislator. In case you didn't know, Barb also made history – as the first daughter to succeed her mother in the Legislature!

People ask me what I will miss the most. My answer is always the People-my constituents. I will miss the coffee hours, the conversations and the problem solving. It was a constituent from Mason who called me with her personal problem that led me to introduce Michigan's stalking law. The lengthy committee work helped get this law right and allowed many victims to tell their story even though some were risking their lives to do so. We updated Michigan's bombing and terrorism statute because of a potentially deadly incident in this community. We worked across party lines to update the law for the first time in 60 years. Long before 9-11, Michigan was addressing concerns about terrorism and bio-terrorism. When a local police officer told me his story about fighting for his life when a suspect grabbed his gun, I was shocked to find out that the only crime in this deadly situation was attempted theft. I was able to pass legislation making it a felony to attempt to disarm a police officer in the line of duty. I got a call from a mother who was frustrated that she was not allowed to have her toddler son with her while she was voting. Clerks were reading Michigan law to say that no person, including minor children, could accompany a person into the voting booth. Now, a minor child can accompany an adult into the voting booth to share in the experience of the fundamental citizen right of voting. And the list goes on. Making a difference in the lives of people who have placed their trust in me has been a rewarding experience.

As I say goodbye, I want to leave you with this thought. It is not about me or us really. It is always about the people who sent us here. To Speaker-elect Andy Dillon and the entire Democratic team: Put the people first and you can't go wrong. They have entrusted us with this power and we use it on their behalf. In the past it has been used wisely and it has been used poorly. Choose wisely. While I look forward to what the future holds. I will always hold a special place in my heart for the House and the great people who have served in it. I hope I have served the citizens of our great state fully and faithfully, and treated my colleagues – past and present – with honor and integrity.

Thank you."

Rep. Drolet:

"When I ran for state House I told voters, friends and family that it was my goal to reduce the size, scope and cost of government.

I knew that I would fail to achieve those goals.

Why? Because it is a natural law that people, generally speaking, act in their interests. Voters act in their interest. Teachers do, as do students. Businesses, employees and unions all act in their own interests.

One interest that all people have is having more resources at one's disposal with which one can *better* further his or her interests. Resources generally mean controlling money or people. People, all people, use control of money or others to further their interests. It is a part of human nature and it is usually beneficial to society when we all agree to a simple rule: no controlling money or people by using force. As long as force is prohibited, people must negotiate with others to acquire money or get others to do something for them. This facilitates productive human interaction that generally benefits most people.

Well, the government, including this chamber, is made up of people no different than any other in their nature. We are generally good people who naturally act in our interests to acquire more money and people under our control so that we can prosper. But, as a government, we have the power of force to obtain what we want. We don't have to negotiate with anyone except ourselves. We can take property and decisions away from people as we decide and put people in jail if they disagree with us.

But what about voters! Don't we have to negotiate with them? Don't they agree to give us that power? Well, in a way they sorta, kinda do. After we have disenfranchised them by gerrymandering our districts and given ourselves franking privileges. Plus most citizens are too busy keeping track of their own lives to know much about what is happening to their money that we have taken.

But every now and then the voters recognize that their wallets and liberties have become the proverbial frog being slowly boiled. Every now and then they collectively decide that they must take action to protect and advance *their* interests. They realize that the writers of our constitution recognized that the power of force given to *government* must also be peaceably given to citizens when they believe their government is going too far. The force given to the people of Michigan to counter their government is called the citizen petition process.

The citizen petition process gave us term limits in an attempt to reign in what we as government people do all day: take away the resources that others have earned.

Why do people in government hate term limits? Because they take away our job and our job as lawmakers comes with the unfair advantage we have in extending our power over others. Now, nobody in this chamber believes me. We

believe we hate term limits because we lose institutional memory. And we believe that we lose our newfound ability to work productively with each other that magically happens in our final term. We believe that Lansing used to be a better place before term limits. Well, Lansing was a better place before term limits for lawmakers because a lawmaker's power could go on for so many more years.

I am here partially thanks to term limits and I have no problem moving on because of them.

Of course, people have limited government's power before and after term limits. The Headlee Amendment is one such example to limit overall government spending. Another example is this past election's Proposal 2, which took away the government's power to prefer some people over others based on race or gender in government hiring, contracting and university admissions. I am sensitive to the fact that many people are deeply and genuinely concerned about Proposal 2's passage by voters. But I believe that in 10 years when we have seen the effects of Proposal 2, we can look back at its passage on election night and realize that nobody lost when Prop. 2 passed. That we all won. I am optimistic that we will all conclude that in hindsight.

I realize that many hearing me speak today for the last time on the House floor will conclude that somehow I just don't like people who are in government. That would be wrong. I very much distrust the institution while really liking most of you as people.

I want to thank those of you who have made my time here enjoyable. I really don't want to mention names, but for anyone in this chamber who has shared with me with a laugh or muttered to me their frustrations: thank you.

I especially want to thank the Speaker and those members in the appropriations process who fought against the forces of government growth to produce two budgets in a row that do not exceed inflation. I have witnessed the difficulty of restraining spending in the surreal storm that is Lansing.

To the staff, and I came from staff and still consider myself staff, I know your sufferings and frustrations. I especially pity those poor staffers who have had the misfortune of serving under me directly. I wish you all the best.

I will conclude by thanking the Capitol press corps. Your efforts to translate what happens here into English are greatly appreciated. I will truly miss you.

Thank you for this opportunity to speak."

Rep. Stewart:

"Thank you so very much. I wasn't going to speak because the sure way of staying out of trouble — say nothing.

If I had a dime for every time I said the name 'Hayes Jones' during the decade of the sixties, I'd easily be a millionaire.

So I'm going to read from my script.

What have you taught me?

I was raised on George Romney and William Milliken.

Cold weather and inaugural speeches on that front lawn of the Capitol from 1962 to 1982.

Follow me. Did Scott Hummel tell the truth here two years ago?

I came up here and all I wanted to do was vote my District.

I will let you be you, please let me be me. I believe in the sanctity of each individual person to think, to reason for themselves.

I will let you be you, will you please let me be me.

Did Scott Hummel...This is a rhetorical question; repeated throughout my 5 minutes..., did Scott Hummel tell the truth?

I want to thank my family; my wife and two daughters.

I most importantly I want to thank the people of my District.

I wouldn't have made it 6 years without my staff.

Three years with Cheryl Frawley...six with Maureen Doyle.

They survived a lawyer from Wayne County, who represented over 500 divorcees and over 500 drunk drivers.

Because of Cheryl Frawley and Maureen Doyle, I am the luckiest legislator in the world. They provided the best constituent relations.

Let me tell you about my lowest and highest moment:

Sgt. John Hersman, standing right there - was a witness. We couldn't believe it...it was just over 4 years ago...

There was a meeting; I was called to the woodshed. All students, all citizens were prohibited from coming down the center isle, because of the wear and tear of the carpet. That lasted about 3 weeks...I had set the record for one year; - My highest moment was bringing 42 classes on the floor of the House of Representatives.

I didn't care if it's Monday morning at 9:00 o'clock, I didn't care if it's Friday afternoon at 4:00 o'clock. I will meet and bring a class on the floor of the House of Representatives.

It's hard to believe that with 10 million people in this State, that just might be their only time on the floor of the House of Representatives. So without a doubt, bringing the kids on the floor was my highest moment.

I want to thank our Speaker and our Speaker-to-be.



I want to tell you about the other side of both men.

You haven't seen the best side of Mr. Speaker, Craig DeRoche.

I've sat with his family at softball games, I've talked with them, and both of his parents who are graduates of Eastern Michigan University. The other side of Craig DeRoche is his family. I hope he just follows their guidance and appeals to the nobler motives of his family.

Let me tell you about Judge Jack Dillon, who served for 31 years as a Judge in Redford. He was there to help thousands of men who didn't know they shouldn't hit a woman. Judge Dillon was there to help thousands of people who drank and got behind the wheel of car on Telegraph.

I'm talking about Judge Jack Dillon. Father of Andy Dillon.

We can't compare to how Judge Dillon was able to help people one-on-one. Even with Andy Dillon becoming Speaker, it doesn't compare with what Judge Jack Dillon did to help people one on one.

So 15 years ago, when I was a 42 year old lawyer, Judge Jack Dillon leaned over the bench and said, 'Counselor come up here, how would you like to go to lunch with me?' Well, In God we trust, but the Judges run the country. So I called my office and cancelled all appointments so that I could go to lunch with Judge Jack Dillon.

What did I talk about with Judge Dillon at lunch? The academic environment of the University of Virginia and Thomas Jefferson. And then he leaned back in his chair, and Jack Dillon is 6 foot 7 inches tall, Notre Dame and U of M...he's brilliant. Jack looked at me and said, 'You know my favorite quote of Jefferson?...

"Above all, I am a free man"."

I want to thank Speaker DeRoche for having the perseverance, to allow me to be Higher Ed. Chair. Three Research University Presidents were allowed to testify together for the first and only time...you see in my mind it would have been unconscionable to not allow that to happen.

I truly think that at times politics is inherently bad.

We need a little red light to go on. There was a reaction to the negativity in the primary in my District. I was unaware and that's why I was home in the evening on Nov. 7th 'til midnight. Then, my wife and I got a telephone call, and we went to a gathering and pictures were taken, and whatever...

There's a lot of voters in Plymouth and Northville and this is a win-win compliment, and I've asked her permission to say this...there's a lot of voters in my District like Pam Byrnes.

There's a heavy weight of emotionalism in here that you don't find in a courtroom. All that judges want to know is what are the facts, what is the truth, who has the most credibility and out the door you go. I can't understand why there wasn't leaderships for Representatives like Milliken-esque Gary Newell, and the supreme negotiator, Mike Nofs.

Let's remember the old Methodist hymn, 'Others, Lord yes, others', the self-promotion and the ego of politics is just self-destructive.

We have sayings in our family like, 'he who throws dirt, loses ground', and 'criticism is a form of autobiography'.

Two years ago, Scott Hummel stood here and introduced the new Speaker Craig DeRoche and said, 'There are no victories here, unless you have a victory at home, in that one-on-one relationship'.

I call that an absolute truth.

Thank you very much. And I want to leave you with a challenge that includes me. WE CAN ALL DO BETTER.

Thank you very much."

Rep. McConico:

"I would like to begin by first of all saying it is honor to stand before you today to give this farewell address. When I came to the capitol as staff in 1999, I had no idea I'd ever have the opportunity to stand before this chamber and deliver an address like this. I think that is the reason why I have been prolonging actually writing these words. As you know, I didn't come on Thursday when I was originally scheduled. I was trying to hide so the majority floor leader wouldn't continue calling for me, but the time has come to get this over with because it is time to move to another chapter in my life.

I want to begin by thanking this honorable body for allowing me to be a part of this for the past six years, for taking the bills that I have introduced seriously, as every bill I have introduced has meant something to me and my constituents. I have never put before this chamber anything that was frivolous. I thank you for the committee process, and I thank you for the hearings we've had on the floor. I next want to thank the people of my district, originally the sixth district and then the fifth district, for taking a chance on me in 2000. At the time I was a twenty-seven year old special education teacher, who was avoiding practicing law and avoiding growing up. However, I developed some ideas and realized that I wanted to represent the people. I wanted to do something about the mandatory minimum drug laws, which is what eventually spurred me to run for office. I will go into that more a little later.

I want to thank my staff next. A lot of times we get through our speeches and we don't thank our families or our staff the way we should. So I want to do that right now. As Tupac Hunter referenced in his speech, I have a large ego. I am very pleased with myself and I am very pleased with the things I have accomplished in my life. However, when it comes to legislative work; my office works together. There are no defined roles. When referencing my office and the

people in my district can attest to this, I always say 'we'. I never say 'what I do', it is always 'what we do', because we work together. I may get paid more, but we all have a voice in the legislation we introduce, we all participate in the community meetings.

I want to start by thanking Eric Davis. Eric was practically raised here at this Capitol. He started out as a page. Then he worked for awhile in the House Fiscal Agency. And within the first three weeks I was here I hired him to work in my office. At that time, the only thing I asked Eric to do was answer the phones and keep the schedule. Little did I know then, that he would go on to become the Legislative Director. Among other responsibilities, he would write our newsletters, our 'op ed' articles and press releases. I try to do a million things at one time, so it's really not fair to ask one person to try to keep me organized. Just keeping my schedule is a full time job. But Eric has done the best job possible, and I appreciate not only the work that he has done, but also his friendship. I'm very pleased that Bert made a great decision to keep Eric as a part of his team.

Next I want to thank Michigan State University. People that know me, especially Gretchen Whitmer, know that I am a huge U of M fan. I try not to speak about MSU too much, but the school has truly provided me with some of the best interns possible. I want to thank Drew Buchholz, who started as an intern in my office. He went on to work with the Civics Commission, and he is now a lobbyist for the arts community. Nate Ingle was another MSU intern; he has gone on to the Peace Corps. Eric Wardford, also an MSU intern of mine, is now attending law school at the University of Detroit. That success of these young adults shows what type of students they are producing at MSU and the seriousness of their internship program. So again, I thank Michigan State University.

Bert Johnson. Bert's is difficult to talk about as a staffer, because we are such good friends. In high school we had a very tight knit group of five; Bert, Myself, Tupac, Kevin and Clarence. I was closest to Tupac, but one thing about Tupac and I, and it still holds true to this day, is that we are the only ones in the group that would have multiple falling outs. We would go months without speaking. Once, he showed up at school to have a little 'discussion' with me. Fortunately he came to his senses, and we didn't have to go that route. Whenever Tupac and I would get into these arguments, Bert was always there, and he was always the peacekeeper. Bert was also the person that never wanted me to be alone. He would always tell me that he had my back. So, when we had some problems in our office, and I had to let go of my original Chief of Staff, I went to Bert. I said 'I can't pay you what you make managing your father's law office, but I really need you to come to Lansing. You have always stated that you have my back, and I need you to have it now.' He came to work for me. Unfortunately his first day of work was September 11, 2001. Despite that ominous beginning, Bert went on to help write and craft much of the legislation I produced. Before campaign season came this past year, we sat down as a family to begin thinking about the future. Now, many elected officials don't concern themselves with finding someone that they will support and endorse to replace them. But I felt that as a team we had done too much work just to let it go before the job was finished. The decision came down to my wife or Bert running to fill my seat. As we always do, we made a family decision and decided that Bert had earned the right to run. He had worked tirelessly with the community and would have a lot of support. We all felt that he would not only make a good state representative, but a great state representative. And so, Bert embarked upon that journey. My congratulations, to State Representative-elect Bert Johnson.

Before I am done with Bert, as a member of this House, I actually want to issue an apology to him for what happened this fall. He ran his primary campaign this past spring and summer towards his effort to represent the people of the Fifth District. He won the primary, despite a very competitive field of candidates. And, despite the fact that you went unopposed in November, there were more negative mailings in the fall, than there were in the summer. He was on TV. He was on all the major networks across this state. The action that was taken against him was unfair, and with lack of good reason except as an attempt to divide the State. So, as a member of the Michigan House of Representatives, I want to apologize for the disgraceful way in which you, a future member of this House, were treated. I ask you not to be scarred but what happened to you. I ask that you come in and do the job that the people of the 5th district elect you to do. Good luck, and welcome to the House!

Next want to thank my parents. Actually, I didn't know my parents growing up. My parents were taken from me. They were murdered when I was six weeks old. So I was raised by my grandparents who selfishly took me in and raised me as their own. They made sure that I was prepared for those things that I would want to do with my life. They provided me with a proper education, and a Christian upbringing. I was a sick child and dealing with me was difficult and different. I wasn't like my cousins, or other family members. Every man in my household worked in construction. I didn't want to do construction work. I wanted to do something else with my life. They allowed me to go to debate camp. They allowed me to play tennis. They put me in private schools so that I wouldn't have to do what the other kids in my neighborhood would have to do to survive. They prepared me in such a way that paved the way for me have the opportunity to stand before you now. So I thank John and Louise McConico for all that they have done for me. I thank my community for helping to raise me and helping me get to where I am today. I am going to keep going...

I want to thank my wife. I want to thank her for putting up with me staying long hours and many nights in Lansing. I want to thank my wife for helping to run my campaigns. I want to thank my wife for putting up with me, with who I am. I want her to know that I love her and that there are a many things I want to say about her but I've got to hurry up and get through this speech.

I want to thank the leaders of the caucus, which, in my first term were Mayor Kwame Kilpatrick and Senator Buzz Thomas. They put me in the game right away. They made me the Vice Chair of the Criminal Justice Committee and gave me all the committees I asked for. They allowed Kris Kolb, Alexander Lipsey and I to get into as much trouble as we wanted to. I thank them for that. I want to thank Keith Stallworth and Jason Allen, for teaching me that a deal is never done, that you can always improve on something. No matter what you might think about Keith, he is the smartest politician I have ever met. When I was studying for the bar, I would come into the office at one or two o'clock at night, and Keith would be on the floor working to find a quarter to go towards the budget. He said that on his watch, Detroit would never lose any money. I know that Representative Cushingberry is going to continue that pledge next term. Kris Kolb mentioned in his speech that he had taught me how to stick my nose under the tent. I really didn't understand Kris that much in the beginning. When he first arrived, he began attending leadership meetings and claiming that he was going to be the freshman Representative on the leadership team. Now at that time, we didn't have any freshman on the leadership team, but Kris made himself relevant. I respected that. Kris and I snuck into a bill signing with former Governor John Engler, at a time when Engler wouldn't allow any Democrats to attend his bill signings. Kris helped me become a better lawmaker. I also want to thank Joe Rivet, whom I tend to call the 'Emperor of the Dark Side'. He taught me how to work both sides of the aisle. I always say that if Joe Rivet and Lamar Lemmons could use their power for good...oh, what we could have.

Next I would like to address my seatmates. Clarence Phillips was like a second father to me and the funniest man I have ever met. He was the only member of the House who could fall asleep in caucus and wake up talking and know exactly what we were working on. He was the only man that would literally have a story on everyone in this chamber. You would walk up to him, and he would act like he wasn't talking about you. I love that guy. This term I was intending to sit next to Clarence again. I remember my anger and frustration when Gretchen chose to sit next to me. I went the clerk's office in an effort to switch seats with Matt Gillard so I could sit next to Clarence. Now, you should know, Gretchen and I didn't speak much last term, there was probably some residual resentment from the leadership elections. But I learned to respect Gretchen. Although, I did have to watch her language as she had been around the UP guys a little too much and spoke and acted like them. But eventually Gretchen became not only my seat mate, but also a great friend. I am so glad that we have had this last year to truly get to know each other. The chair next to me seems to be a good place to sit...Clarence becomes Mayor of Pontiac and Gretchen has joined the Senate. I think that was it not for Gretchen having the seat next to me she would not be in the State Senate. I should have sat next to myself, perhaps I would have been going to the Senate.

I want to thank Speaker DeRoche, Chairman Huizenga, and Representative Palsrok. Last year we had an interesting situation. I had just been removed as the Vice Chair of the Energy and Technology Committee and was in jeopardy of being removed from Commerce. I received calls from these guys, and they told me that they wanted to keep my on the committee. They knew I had been on Commerce since my freshman term. They fought for me, and for that I want to thank them. Even though I wasn't always there in person, I was always there in spirit. My heart was there, and Bert was there. But seriously, it meant a lot. So thank you.

I want to thank Representative Artina Tinsley-Hardman. We didn't have a lot in common and we weren't very close even when I worked for her or when we served in the legislature together. But, if she hadn't taken a chance on me and hiring me fresh out of law school I wouldn't be here today. So it would be very remiss not to thank her. We had fun in that office. I want to thank Dave Newman and Jenita Moore. I want to thank Janya Bartlow who worked for Ken Daniels, and Ken Coleman, who worked for Irma Clark. I want to thank all of them for helping me out when I first arrived on staff in Lansing.

We have had many successes in our office over the past three terms. I was able to pass ten public acts my freshman term, at a time when there was Republican control over the House and Senate, and the Governorship. I am very proud of those public acts as they were to the benefit of the people of the State of Michigan. The legislation that I am most proud of dealt with the elimination of mandatory minimum drug sentencing. This issue was the reason I ran for office in the first place. We worked closely with Jean Doss, Laura Sager, Monique Pointer (now she's Monique Fields of the Governor's Office). It took us eighteen months to get it done, with the Governor signing it on Christmas Day of 2002. I want to thank Larry Julian and Mike Kowall for helping us on the other side of the aisle. I also want to thank the good Lord for his timeliness. The Chair of the committee at that time was Jennifer Faunce. Although she was a close friend, she refused to grant a hearing on the bills. Fortunately, she went on maternity leave, leaving the Chair position to Mike Kowall. He gave the bills a hearing and they passed out of Committee and went on to become law. So I thank the Lord for Jennifer Faunce's maternity leave.

Next I would like to reflect on last term's debate regarding the Death Penalty. I feel that that was one of the finest hours of this chamber. Regardless of what side individuals took on the issue, it was a spirited and yet respectful debate. I am pleased that we stuck with Michigan's tradition of never having a Death Penalty. I believe we need to fight the urge, no matter the tragedy, to seek justice, not vengeance. For the State to kill a citizen goes in the direction of vengeance, not justice. But I truly respected the way we held the debate, and I am thankful that we had it.

Going forward, I would like to discuss a few of my major disappointments. Those who know me well know I don't speak about race very often. But, I do love my city. I love Detroit. Before I go on, however, I feel the need to apologize.

I know I haven't been the most faithful member of the Black Caucus. The 8:00 am, Thursday meetings always seemed to conflict with my schedule. But my heart was always there. I digress. When I arrived here in 1999 and I looked out into that hallway, there were 3 African-American lobbyists. When I look out there now, there are still only three African-American Lobbyists, and two of them are the same. This is 2006. When you look towards the front of this Chamber, at the press corps, it looks the same way as in 1999, still no African-Americans. When you look at those who are running the major firms and at the Departmental Agencies, you see a continuing lack of diversity. I am not talking about giving unqualified people a chance. I am talking about going out and finding, actually seeking, qualified folks to diversify and ensure that this institution looks like the citizenry it is suppose to represent. This place does not look like Michigan. I am not accusing anyone of racism, or ill intensions. But we can, and must, do a better job of diversifying this place.

The second disappointment I wish to address concerns the city I live in. The city I was raised in and that I love so much. That is the City of Detroit. What I am about to say is not in reference to the elected officials of Detroit, as we have been treated very well. But it must be pointed out that the citizens of Detroit have not been treated fairly while I have been a member of the House of Representatives. The citizens of Detroit are hard working, tax paying, patriotic Americans, just like the people in your community. They deserve to be treated the way you expect your constituents to be treated. They are not jokes. They are not punch lines. They are not to be used without consideration of their wellbeing when it is politically expedient, or it serves a certain political purpose. Under no circumstances should there ever be another interview in the Upper Peninsula where a Representative such as Rich Brown is being demeaned by someone stating that he is more concerned about the Detroit City Council election than he is about his own citizens. Never should Glenn Anderson's constituents receive mail piece after mail piece and various commercials stating that he is doing the bidding of his Detroit bosses at the expense of his citizens. Never should the Mayor of the City of Detroit become the focal point of an issue in an area that is outside the City of Detroit. Never should sending appropriated money to a school like Wayne State be used in negative campaign literature, as it was with Pam Byrnes. Never again should my citizens, who have done nothing to the members of this House, be used against other elected officials or other communities. We are supposed to be above that in this chamber. In this house we really are one community. We are the leaders of the State of Michigan. Representative Adamini stated in his speech that he had never come into much contact with African-Americans until he attended the University of Michigan. There are still citizens in the UP who may not know African-Americans or perhaps have never even seen an African-American. He has a responsibility to go back and talk about his interactions with us here. If he visits Detroit, he has to take that experience back. We are the ones that must break down stereotypes and racism, not perpetuate it and make the situation worse. We can do better, and we must do better. I have been treated fairly by each and every person here. I have been treated fairly by both my Caucus and the Republican Caucus. But I want to clearly state that the citizens of Detroit in the next upcoming session should not be the whipping boy of this Body, nor of the State Senate, and not by the Governor. I ask that you would take these words of concern, in the spirit in which they were said and not to feel that I am attempting to demean anyone in this chamber.

I would be remiss if, when referring to the City of Detroit, I didn't mention the Detroit Caucus, as it is very important to me. During my first two terms, we didn't have our house in order. We had some problems. I didn't like Mary, Mary didn't like me. It is true we didn't really speak a lot. But what we decided to do near the end of last term was to get our house in order, knowing that no one else could solve this problem. We founded the Detroit Caucus, and I was honored to be elected to serve as Chair. I am very proud that we were unified this term. I am proud that I can call Mary Waters a friend. I am very proud of our legislative success, in creating the neighborhood enterprise zones and many other accomplishments. To everyone from the City of Detroit, I thank you for allowing me to serve as your Chair and I thank you for the hard work you put in this past term.

In closing, I want to say that I am very please to be leaving this chamber with the Democrats in the Majority. Diane, I told you earlier that I wasn't going to mention you in my speech. But after election night, you have certainly worked your way into it. I want to congratulate you for your hard work and the success of the Democrats in November. You had a single focus on getting the majority from day one, and you are walking out with the mission accomplished. To Speaker-elect Andy Dillon, to Majority Leader-elect Steve Tobocman, I ask you to fight the urge for payback. I ask you to fight the urge to do unto the Republicans as they have done onto us. I ask that you look for good public policy. Because a bill comes from the Republican Caucus, doesn't mean that it is bad policy. Take that legislation, let it work its way through the committee process, and when the time is right, put the name of a good democrat on that legislation. Make sure you don't stop the legislation. Its time for good Democrats like Aldo and Kathleen Law to have their names and faces attached to some this Chambers success. Let policy be the drive in this process. The best way to win the hearts and minds of the citizens, and win campaigns at the same time is to push good, progressive policy. There are certainly differences between the two caucuses, but one is not good and the other evil. We simply have different views on policy. It is okay to have differing views, but we must have them respectfully. I ask the Democratic Caucus to work a very progressive agenda, ensuring that our marginals need not count every vote, as they will be pushing good, positive agendas.

It has been a wonderful journey with all of you. I didn't get to experience Majority status with you as a State Representative, but by Bert being here I will still be here in spirit. I am still only a phone call away. I love to take people out on the town, so if any of you ever want to come down to Wayne County or Detroit, my door is always open. I want people from both sides of the aisle to come see me. I thank you for listening to me, I thank you for allowing me to serve with you, and I bid you goodbye."

Rep. Drolet moved that Rep. Emmons be excused temporarily from today's session.  
The motion prevailed.

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

**Senate Bill No. 1398, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 11a (MCL 380.11a), as amended by 2003 PA 299.

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

**Roll Call No. 1230**

**Yeas—106**

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

**Nays—0**

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

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

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

The Senate requested the return of

#### House Bill No. 5704, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 312 and 646a (MCL 168.312 and 168.646a), section 312 as amended by 2005 PA 71 and section 646a as amended by 2004 PA 295.

(The bill was received from the Senate on December 7, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 12, see House Journal No. 92, p. 2997.)

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

Rep. Ward moved that the request of the Senate be granted.

The motion prevailed.

Rep. Pastor moved that Rep. Nofs be excused temporarily from today’s session.

The motion prevailed.

### Third Reading of Bills

#### Senate Bill No. 924, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 74117 and 81116 (MCL 324.74117 and 324.81116), section 74117 as amended by 2003 PA 170 and section 81116 as amended by 2003 PA 111.

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

#### Roll Call No. 1231

#### Yeas—106

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

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

### Nays—0

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

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

Rep. Virgil Smith moved that Rep. Murphy be excused temporarily from today’s session.

The motion prevailed.

### Senate Bill No. 1257, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 716 (MCL 257.716), as amended by 1998 PA 427.

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

### Roll Call No. 1232

### Yeas—105

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

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

### Nays—0

In The Chair: Elsenheimer

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

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

The House agreed to the full title.

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

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

Rep. Sak moved that Rep. Bennett be excused temporarily from today's session.

The motion prevailed.

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

The motion prevailed.



**Senate Bill No. 1269, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4404 (MCL 500.4404), as amended by 1995 PA 210.

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

**Roll Call No. 1233****Yeas—104**

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

**Nays—0**

In The Chair: Elsenheimer

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

"An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain

reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,"

The House agreed to the full title.

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

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

#### **Senate Bill No. 1412, entitled**

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

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

#### **Roll Call No. 1234**

#### **Yeas—104**

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

#### **Nays—0**

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

“An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detention in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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



Rep. Pastor moved that Rep. Palmer be excused temporarily from today’s session.

The motion prevailed.

**Senate Bill No. 405, entitled**

A bill to amend 1980 PA 497, entitled “Construction lien act,” by amending sections 110, 115, 202, 203, 204, and 206 (MCL 570.1110, 570.1115, 570.1202, 570.1203, 570.1204, and 570.1206), section 110 as amended by 2001 PA 151, sections 115 and 203 as amended by 1982 PA 17, and sections 202 and 206 as amended by 1981 PA 191.

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

**Roll Call No. 1235**

**Yeas—104**

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

**Nays—0**

In The Chair: Elsenheimer

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

“An act to establish, protect, and enforce by lien the rights of persons performing labor or providing material or equipment for the improvement of real property; to provide for certain defenses with respect thereto; to establish a homeowner construction lien recovery fund within the department of licensing and regulation; to provide for the powers and duties of certain state officers; to provide for the assessments of certain occupations; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

**Notices**

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1219. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 927, entitled**

A bill to amend 1959 PA 241, entitled “An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof,” by amending the title and section 2 (MCL 429.112).

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

**Roll Call No. 1236****Yeas—106**

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

Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones, Hayes	Pastor	Waters
Cushingberry	Jones, Rick	Pavlov	Wenke
Dillon	Kahn	Pearce	Williams
Donigan	Kolb	Plakas	Wojno
Drolet	Kooiman	Polidori	Zelenko
Ebli	LaJoy		

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1232-1236. Had I been present, I would have voted ‘yea’.”

**Senate Bill No. 928, entitled**

A bill to amend 1959 PA 241, entitled “An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof,” by amending section 3 (MCL 429.113).

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

**Roll Call No. 1237****Yeas—108**

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

Cheeks	Huizenga	Newell	Van Regenmorter
Clack	Hummel	Nitz	Vander Veen
Clemente	Hune	Nofs	Walker
Condino	Hunter	Palmer	Ward
Cushingberry	Jones, Hayes	Palsrok	Waters
DeRoche	Jones, Rick	Pastor	Wenke
Dillon	Kahn	Pavlov	Williams
Donigan	Kolb	Pearce	Wojno
Drolet	Kooiman	Plakas	Zelenko

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

**Senate Bill No. 1418, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 16901 and 16909 (MCL 324.16901 and 324.16909), as amended by 2002 PA 496.

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

**Roll Call No. 1238****Yeas—108**

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

**Nays—0**

In The Chair: Elsenheimer

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

**Notices**

December 13, 2006

Pursuant to House Rule 10, I do hereby authorize Minority Leader Byrum to preside over the House of Representatives on Wednesday, December 13, 2006.

Sincerely,  
Speaker Craig DeRoche

Associate Speaker Pro Tempore Elsenheimer called Acting Speaker Byrum to the Chair.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1125, entitled**

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending sections 2, 3, and 5 (MCL 445.902, 445.903, and 445.905), section 2 as amended by 1984 PA 91 and section 3 as amended by 2004 PA 462.

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

**Roll Call No. 1239****Yeas—103**

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

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

**Nays—5**

Drolet	Gosselin	Hoogendyk	Palmer
Garfield			

In The Chair: Byrum

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

“An act to prohibit certain methods, acts, and practices in trade or commerce; to prescribe certain powers and duties; to provide for certain remedies, damages, and penalties; to provide for the promulgation of rules; to provide for certain investigations; and to prescribe penalties,”

The House agreed to the full title.

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

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

The Speaker Pro Tempore resumed the Chair.

Rep. McConico entered the House Chambers.

**Senate Bill No. 1419, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16902 (MCL 324.16902), as amended by 2002 PA 496.

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

**Roll Call No. 1240****Yeas—109**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrah	Lemmons, Jr.	Sak
Angerer	Gaffney	Lipsey	Schuitmaker
Ball	Garfield	Marleau	Shaffer
Baxter	Gillard	Mayes	Sheen



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

### Nays—0

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### Senate Bill No. 1420, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16903 (MCL 324.16903), as amended by 2002 PA 496.

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

### Roll Call No. 1241

### Yeas—102

Accavitti	Elsenheimer	Lemmons, III	Robertson
Acciavatti	Emmons	Lemmons, Jr.	Rocca
Adamini	Espinoza	Lipsey	Sak
Amos	Farhat	Marleau	Schuitmaker
Anderson	Farrar	Mayer	Shaffer
Angerer	Gaffney	McConico	Sheen
Ball	Gillard	McDowell	Sheltrown
Bennett	Gleason	Meadows	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Green	Meyer	Spade

Brandenburg	Hansen	Miller	Stahl
Brown	Hildenbrand	Moolenaar	Stakoe
Byrnes	Hood	Moore	Stewart
Byrum	Hopgood	Mortimer	Taub
Casperson	Huizenga	Murphy	Tobocman
Caswell	Hune	Newell	Vagnozzi
Caul	Hunter	Nitz	Van Regenmorter
Cheeks	Jones, Hayes	Nofs	Vander Veen
Clack	Jones, Rick	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kolb	Pavlov	Waters
Cushingberry	Kooiman	Pearce	Wenke
DeRoche	LaJoy	Plakas	Williams
Dillon	Law, David	Polidori	Wojno
Donigan	Law, Kathleen	Proos	Zelenko
Ebli	Leland		

### Nays—7

Baxter	Garfield	Hoogendyk	Palmer
Drolet	Gosselin	Hummel	

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### Senate Bill No. 1421, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 16903b (MCL 324.16903b), as added by 2002 PA 496.

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

### Roll Call No. 1242

### Yeas—105

Accavitti	Elsenheimer	Leland	Proos
Acciavatti	Emmons	Lemmons, III	Robertson
Adamini	Espinoza	Lemmons, Jr.	Rocca
Amos	Farhat	Lipsey	Sak
Anderson	Farrah	Marleau	Schuitmaker
Angerer	Gaffney	Mayer	Shaffer
Ball	Gillard	McConico	Sheen
Baxter	Gleason	McDowell	Sheltrown
Bennett	Gonzales	Meadows	Smith, Alma
Bieda	Green	Meisner	Smith, Virgil

Booher	Hansen	Meyer	Spade
Brandenburg	Hildenbrand	Miller	Stahl
Brown	Hood	Moolenaar	Stakoe
Byrnes	Hopgood	Moore	Stewart
Byrum	Huizenga	Mortimer	Taub
Casperson	Hummel	Murphy	Tobocman
Caswell	Hune	Newell	Vagnozzi
Caul	Hunter	Nitz	Van Regenmorter
Cheeks	Jones, Hayes	Nofs	Vander Veen
Clack	Jones, Rick	Palmer	Walker
Clemente	Kahn	Palsrok	Ward
Condino	Kolb	Pastor	Waters
Cushingberry	Kooiman	Pavlov	Wenke
DeRoche	LaJoy	Pearce	Williams
Dillon	Law, David	Plakas	Wojno
Donigan	Law, Kathleen	Polidori	Zelenko
Ebli			

**Nays—4**

Drolet	Garfield	Gosselin	Hoogendyk
--------	----------	----------	-----------

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

**Senate Bill No. 1423, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 16911.

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

**Roll Call No. 1243****Yeas—105**

Accavitti	Elsenheimer	Leland	Proos
Acciavatti	Emmons	Lemmons, III	Robertson
Adamini	Espinoza	Lemmons, Jr.	Rocca
Amos	Farhat	Lipsey	Sak
Anderson	Farrar	Marleau	Schuitmaker
Angerer	Gaffney	Mayes	Shaffer
Ball	Gillard	McConico	Sheen
Baxter	Gleason	McDowell	Sheltrown
Bennett	Gonzales	Meadows	Smith, Alma
Bieda	Green	Meisner	Smith, Virgil

Booher	Hansen	Meyer	Spade
Brandenburg	Hildenbrand	Miller	Stahl
Brown	Hood	Moolenaar	Stakoe
Byrnes	Hopgood	Moore	Stewart
Byrum	Huizenga	Mortimer	Taub
Casperson	Hummel	Murphy	Tobocman
Caswell	Hune	Newell	Vagnozzi
Caul	Hunter	Nitz	Van Regenmorter
Cheeks	Jones, Hayes	Nofs	Vander Veen
Clack	Jones, Rick	Palmer	Walker
Clemente	Kahn	Palsrok	Ward
Condino	Kolb	Pastor	Waters
Cushingberry	Kooiman	Pavlov	Wenke
DeRoche	LaJoy	Pearce	Williams
Dillon	Law, David	Plakas	Wojno
Donigan	Law, Kathleen	Polidori	Zelenko
Ebli			

**Nays—4**

Drolet	Garfield	Gosselin	Hoogendyk
--------	----------	----------	-----------

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

**Senate Bill No. 1424, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 806 (MCL 257.806), as amended by 2005 PA 179.

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

**Roll Call No. 1244****Yeas—103**

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayer	Sheen
Ball	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meadows	Smith, Virgil
Booher	Green	Meisner	Spade

Brandenburg	Hansen	Meyer	Stahl
Brown	Hildenbrand	Miller	Stakoe
Byrnes	Hood	Moolenaar	Stewart
Byrum	Hopgood	Moore	Taub
Casperson	Huizenga	Mortimer	Tobocman
Caswell	Hummel	Murphy	Vagnozzi
Caul	Hune	Newell	Van Regenmorter
Cheeks	Hunter	Nitz	Vander Veen
Clack	Jones, Hayes	Nofs	Walker
Clemente	Jones, Rick	Palsrok	Ward
Condino	Kahn	Pastor	Waters
Cushingberry	Kolb	Pavlov	Wenke
DeRoche	Kooiman	Pearce	Williams
Dillon	LaJoy	Plakas	Wojno
Donigan	Law, David	Polidori	Zelenko
Ebli	Law, Kathleen	Proos	

**Nays—6**

Baxter	Garfield	Hoogendyk	Palmer
Drolet	Gosselin		

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

**Senate Bill No. 1481, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30104, 30105, and 30107 (MCL 324.30104, 324.30105, and 324.30107), sections 30104 and 30105 as amended by 2006 PA 275 and section 30107 as added by 1995 PA 59.

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

**Roll Call No. 1245****Yeas—109**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson

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

### Nays—0

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

### Senate Bill No. 1104, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2534 (MCL 600.2534), as amended by 1996 PA 378.

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

### Roll Call No. 1246

### Yeas—93

Accavitti	Elsenheimer	Law, David	Plakas
Acciavatti	Emmons	Law, Kathleen	Polidori
Adamini	Espinoza	Leland	Proos
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrah	Lemmons, Jr.	Sak

Angerer	Gaffney	Lipsey	Schuitmaker
Ball	Gillard	Marleau	Sheltrown
Bennett	Gleason	Mayes	Smith, Alma
Bieda	Gonzales	McConico	Smith, Virgil
Booher	Green	McDowell	Spade
Brown	Hansen	Meadows	Stahl
Byrnes	Hildenbrand	Meisner	Stakoe
Byrum	Hood	Meyer	Stewart
Casperson	Hoogendyk	Miller	Tobocman
Caul	Hopgood	Moore	Vagnozzi
Cheeks	Huizenga	Mortimer	Van Regenmorter
Clack	Hunter	Murphy	Vander Veen
Clemente	Jones, Hayes	Newell	Walker
Condino	Jones, Rick	Nitz	Waters
Cushingberry	Kahn	Nofs	Wenke
DeRoche	Kolb	Palsrok	Williams
Dillon	Kooiman	Pavlov	Wojno
Donigan	LaJoy	Pearce	Zelenko
Ebli			

**Nays—16**

Baxter	Garfield	Moolenaar	Shaffer
Brandenburg	Gosselin	Palmer	Sheen
Caswell	Hummel	Pastor	Taub
Drolet	Hune	Robertson	Ward

In The Chair: Kooiman

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

**Senate Bill No. 1241, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 208 (MCL 257.208), as amended by 2004 PA 362.

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

**Roll Call No. 1247****Yeas—109**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrah	Lemmons, Jr.	Sak

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

### Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

### Senate Bill No. 1266, entitled

A bill to amend 2003 PA 238, entitled “Michigan notary public act,” by amending sections 11, 13, 15, and 19 (MCL 55.271, 55.273, 55.275, and 55.279), as amended by 2006 PA 426.

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

### Roll Call No. 1248

### Yeas—103

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca



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

#### Nays—6

Caswell	Garfield	Hummel	Pastor
Drolet	Gosselin		

In The Chair: Kooiman

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

“An act to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Sak moved that Rep. Byrum be excused temporarily from today’s session.

The motion prevailed.

Rep. Hildenbrand moved that Rep. DeRoche be excused temporarily from today’s session.

The motion prevailed.

#### Senate Bill No. 1292, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 1, 3, 7, 10, 11, 15, and 17 of chapter XII (MCL 712.1, 712.3, 712.7, 712.10, 712.11, 712.15, and 712.17), sections 1, 7, 10, 11, 15, and 17 as added

by 2000 PA 232 and section 3 as amended by 2002 PA 688, and by adding section 2a to chapter XII; 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. Schuitmaker moved to amend the bill as follows:

1. Amend page 13, following line 5, by inserting:

“Enacting section 2. This amendatory act takes effect January 1, 2007.”.

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

The question being on the passage of the bill,

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

**Roll Call No. 1249**

**Yeas—107**

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

**Nays—0**

In The Chair: Kooiman

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

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties

of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### **Reports of Select Committees**

#### **First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 6606, entitled**

A bill relating to the promotion of convention business and tourism in this state and certain metropolitan areas of this state; to provide for tourism and convention marketing and promotion programs in certain metropolitan areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and remedies.

Recommends:

First: That the Senate recede from its amendments numbered 1 to 6, which read as follows:

1. Amend page 2, line 5, by striking out all of subdivision (b) and inserting:

“(b) “Assessment district” means a municipality or a combination of municipalities as described in a marketing program.”.

2. Amend page 2, line 16, after “than” by striking out “30” and inserting “25”.

3. Amend page 3, following line 8, by inserting:

“(i) “Municipality” means a city, county, village, or township.” and relettering the remaining subdivisions.

4. Amend page 4, line 15, after “levied” by striking out the balance of the line through “period,” on line 16.

5. Amend page 4, line 16, after the first “the” by striking out “county” and inserting “municipality or municipalities”.

6. Amend page 4, following line 17, by inserting:

“(4) A bureau may impose an assessment not to exceed 2% of the room charges in the applicable payment period if either of the following conditions is met:

(a) The assessment district includes a municipality having a population of more than 570,000 and less than 775,000.

(b) The assessment district includes a municipality within which is levied a 4% marketing assessment under 1980 PA 395, MCL 141.871 to 141.880.” and renumbering the remaining subsections.

Second: That the House and Senate agree to the bill as passed by the House.

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

A bill relating to the promotion of convention business and tourism in this state and certain metropolitan areas of this state; to provide for tourism and convention marketing and promotion programs in certain metropolitan areas; to provide for imposition and collection of assessments on the owners of transient facilities to support tourism and convention marketing and promotion programs; to provide for the disbursement of the assessments; to establish the functions and duties of certain state departments and employees; and to prescribe penalties and remedies.

Bill Huizenga  
Dave Hildenbrand  
Andy Meisner  
Conferees for the House

Wayne Kuipers  
Jason Allen  
Samuel Buzz Thomas, III  
Conferees for the Senate

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

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

The motion prevailed.

The question being on the adoption of the conference report,

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

**Roll Call No. 1250****Yeas—58**

Accavitti	Gleason	Lemmons, III	Proos
Ball	Gonzales	Lemmons, Jr.	Sak
Bennett	Green	Lipsey	Schuitmaker
Booher	Hildenbrand	McConico	Sheltrown
Byrnes	Hood	Meisner	Stakoe
Cheeks	Hopgood	Miller	Stewart
Clack	Huizenga	Mortimer	Tobocman
Condino	Hunter	Newell	Van Regenmorter
Cushingberry	Jones, Rick	Nitz	Vander Veen
Dillon	Kahn	Nofs	Ward
Donigan	Kolb	Pavlov	Waters
Ebli	Kooiman	Pearce	Wenke
Farrah	Law, David	Plakas	Wojno
Gaffney	Law, Kathleen	Polidori	Zelenko
Gillard	Leland		

**Nays—49**

Acciavatti	Drolet	LaJoy	Robertson
Adamini	Elsenheimer	Marleau	Rocca
Amos	Emmons	Mayes	Shaffer
Anderson	Espinoza	McDowell	Sheen
Angerer	Farhat	Meadows	Smith, Alma
Baxter	Garfield	Meyer	Smith, Virgil
Bieda	Gosselin	Moolenaar	Spade
Brandenburg	Hansen	Moore	Stahl
Brown	Hoogendyk	Murphy	Taub
Casperson	Hummel	Palmer	Vagnozzi
Caswell	Hune	Palsrok	Walker
Caul	Jones, Hayes	Pastor	Williams
Clemente			

In The Chair: Kooiman

**Third Reading of Bills****Senate Bill No. 1404, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 50c and 81d (MCL 750.50c and 750.81d), section 50c as amended by 2002 PA 672 and section 81d as added by 2002 PA 266.

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

**Roll Call No. 1251****Yeas—107**

Accavitti	Emmons	Law, Kathleen	Proos
Acciavatti	Espinoza	Leland	Robertson
Adamini	Farhat	Lemmons, III	Rocca
Amos	Farrah	Lemmons, Jr.	Sak
Anderson	Gaffney	Lipsey	Schuitmaker
Angerer	Garfield	Marleau	Shaffer

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

**Nays—0**

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

**Senate Bill No. 1405, entitled**

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

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

**Roll Call No. 1252****Yeas—108**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrar	Lemmons, Jr.	Sak
Angerer	Gaffney	Lipsey	Schuitmaker
Ball	Garfield	Marleau	Shaffer
Baxter	Gillard	Mayes	Sheen
Bennett	Gleason	McConico	Sheltrown
Bieda	Gonzales	McDowell	Smith, Alma

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

### Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

### Senate Bill No. 1428, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1060 and 1062 (MCL 600.1060 and 600.1062), as added by 2004 PA 224.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### Senate Bill No. 1495, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 40a (MCL 791.240a), as amended by 2006 PA 316.

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

**Roll Call No. 1253****Yeas—108**

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

**Nays—0**

In The Chair: Kooiman

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

“An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act.”

The House agreed to the full title.

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

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

---

Rep. Palmer moved that Rep. Drolet be excused temporarily from today's session.

The motion prevailed.

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

**Senate Bill No. 1508, entitled**

A bill to amend 1893 PA 118, entitled "An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith," by amending section 41 (MCL 800.41), as amended by 1998 PA 513.

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

**Roll Call No. 1254**

**Yeas—106**

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

**Nays—1**

Bennett

In The Chair: Kooiman

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

**Senate Bill No. 840, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501, 8502, 8503, 8505, 8506, 8507, 8509, 8510, and 8514 (MCL 324.8501, 324.8502, 324.8503, 324.8505,



324.8506, 324.8507, 324.8509, 324.8510, and 324.8514), section 8501 as amended by 1998 PA 276 and sections 8502, 8503, 8505, 8506, 8507, 8509, 8510, and 8514 as added by 1995 PA 60, and by adding sections 8501a, 8519, 8520, 8521, and 8522.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Nitz moved to amend the bill as follows:

1. Amend page 20, line 5, by striking out all of enacting section 1.

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

The question being on the passage of the bill,

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

**Roll Call No. 1255**

**Yeas—93**

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

**Nays—15**

Baxter	Garfield	Moolenaar	Sheen
Drolet	Gosselin	Palmer	Stahl
Elsenheimer	Hoogendyk	Pastor	Taub
Farhat	Hune	Robertson	

In The Chair: Kooiman

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

**Senate Bill No. 162, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 521a.

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

**Roll Call No. 1256**

**Yeas—98**

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

**Nays—8**

Gosselin	Marleau	Pearce	Taub
Green	Newell	Stahl	Van Regenmorter

In The Chair: Kooiman

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

"An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing

and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

**Senate Bill No. 163, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 521 (MCL 436.1521), as amended by 1998 PA 282.

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

**Roll Call No. 1257**

**Yeas—100**

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

**Nays—8**

Gosselin	Meyer	Pearce	Taub
Green	Newell	Stahl	Van Regenmorter

In The Chair: Kooiman

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose

certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

### Senate Bill No. 1408, entitled

A bill to amend 1963 PA 42, entitled “An act to provide for the termination of dormant oil and gas interests in land owned by persons other than the owners of the surface and for the vesting of title to same in the surface owners in the absence of the filing of a notice of claim of interest within a specified period of time,” by amending sections 1, 2, and 4 (MCL 554.291, 554.292, and 554.294).

(The bill was read a third time and postponed temporarily on December 12, see House Journal No. 93, p. 3028.)

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. 1258

### Yeas—105

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

**Nays—3**

Drolet

Garfield

Robertson

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

**Senate Bill No. 1409, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78i and 78k (MCL 211.78i and 211.78k), as amended by 2003 PA 263.

(The bill was read a third time and postponed temporarily on December 12, see House Journal No. 93, p. 3028.)

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. 1259****Yeas—108**

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

**Nays—0**

In The Chair: Kooiman

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

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

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 78i, 78k, and 131e (MCL 211.78i, 211.78k, and 211.131e), as amended by 2003 PA 263; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### **House Bill No. 6009, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625 (MCL 257.625), as amended by 2004 PA 62.

(The bill was received from the Senate on November 29, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 88, p. 2784.)

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

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

#### **Roll Call No. 1260**

#### **Yeas—105**

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

Condino	Jones, Hayes	Nofs	Waters
Cushingberry	Jones, Rick	Palmer	Wenke
Dillon	Kahn	Palsrok	Williams
Donigan	Kolb	Pastor	Wojno
Drolet	Kooiman	Pavlov	Zelenko
Ebli			

**Nays—3**

Smith, Alma	Smith, Virgil	Van Regenmorter
-------------	---------------	-----------------

In The Chair: Kooiman

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

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

Rep. Sak moved that Reps. Kolb, Tobocman and Dillon be excused temporarily from today's session.  
 The motion prevailed.

The Speaker laid before the House

**House Bill No. 4481, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 1999 PA 216; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 5, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 6, see House Journal No. 90, p. 2890.)

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

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

**Roll Call No. 1261****Yeas—105**

Accavitti	Emmons	Law, Kathleen	Polidori
Acciavatti	Espinoza	Leland	Proos
Adamini	Farhat	Lemmons, III	Robertson
Amos	Farrah	Lemmons, Jr.	Rocca
Anderson	Gaffney	Lipsey	Sak
Angerer	Garfield	Marleau	Schuitmaker
Ball	Gillard	Mayer	Shaffer
Baxter	Gleason	McConico	Sheen
Bennett	Gonzales	McDowell	Sheltrown
Bieda	Gosselin	Meadows	Smith, Alma
Booher	Green	Meisner	Smith, Virgil
Brandenburg	Hansen	Meyer	Spade

Brown	Hildenbrand	Miller	Stahl
Byrnes	Hood	Moolenaar	Stakoe
Byrum	Hoogendyk	Moore	Stewart
Casperson	Hopgood	Mortimer	Taub
Caswell	Huizenga	Murphy	Vagnozzi
Caul	Hummel	Newell	Van Regenmorter
Cheeks	Hune	Nitz	Vander Veen
Clack	Hunter	Nofs	Walker
Clemente	Jones, Hayes	Palmer	Ward
Condino	Jones, Rick	Palsrok	Waters
Cushingberry	Kahn	Pastor	Wenke
Donigan	Kooiman	Pavlov	Williams
Drolet	LaJoy	Pearce	Wojno
Ebli	Law, David	Plakas	Zelenko
Elsenheimer			

**Nays—0**

In The Chair: Caswell

The House agreed to the full title of the bill.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

—

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

The Speaker laid before the House

**House Bill No. 5661, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111a.

(The bill was received from the Senate on December 5, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 6, see House Journal No. 90, p. 2891.)

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

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

**Roll Call No. 1262**

**Yeas—104**

Accavitti	Elsenheimer	Law, Kathleen	Polidori
Acciavatti	Emmons	Leland	Proos
Adamini	Espinoza	Lemmons, III	Robertson
Amos	Farhat	Lemmons, Jr.	Rocca
Anderson	Farrar	Lipsey	Sak
Angerer	Gaffney	Marleau	Schuitmaker
Ball	Garfield	Mayes	Shaffer
Baxter	Gleason	McConico	Sheen
Bennett	Gonzales	McDowell	Sheltrown
Bieda	Gosselin	Meadows	Smith, Alma



Booher	Green	Meisner	Smith, Virgil
Brandenburg	Hansen	Meyer	Spade
Brown	Hildenbrand	Miller	Stahl
Byrnes	Hood	Moolenaar	Stakoe
Byrum	Hoogendyk	Moore	Stewart
Casperson	Hopgood	Mortimer	Taub
Caswell	Huizenga	Murphy	Vagnozzi
Caul	Hummel	Newell	Van Regenmorter
Cheeks	Hune	Nitz	Vander Veen
Clack	Hunter	Nofs	Walker
Clemente	Jones, Hayes	Palmer	Ward
Condino	Jones, Rick	Palsrok	Waters
Cushingberry	Kahn	Pastor	Wenke
Donigan	Kooiman	Pavlov	Williams
Drolet	LaJoy	Pearce	Wojno
Ebli	Law, David	Plakas	Zelenko

**Nays—0**

In The Chair: Caswell

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

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

The House agreed to the full title of the bill.

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

—

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

The motion prevailed.

The Speaker laid before the House

**House Bill No. 6310, entitled**

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

(The bill was received from the Senate on December 5, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 6, see House Journal No. 90, p. 2891.)

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

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

**Roll Call No. 1263**

**Yeas—105**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrah	Lemmons, Jr.	Sak
Angerer	Gaffney	Lipsey	Schuitmaker
Ball	Garfield	Marleau	Shaffer
Baxter	Gillard	Mayes	Sheen

Bennett	Gleason	McConico	Sheltrown
Bieda	Gonzales	McDowell	Smith, Alma
Booher	Gosselin	Meadows	Smith, Virgil
Brandenburg	Green	Meisner	Spade
Brown	Hansen	Meyer	Stahl
Byrnes	Hildenbrand	Miller	Stakoe
Byrum	Hood	Moolenaar	Stewart
Casperson	Hoogendyk	Moore	Taub
Caswell	Hopgood	Mortimer	Vagnozzi
Caul	Huizenga	Murphy	Van Regenmorter
Cheeks	Hummel	Newell	Vander Veen
Clack	Hune	Nitz	Walker
Clemente	Hunter	Nofs	Ward
Condino	Jones, Hayes	Palmer	Waters
Cushingberry	Jones, Rick	Palsrok	Wenke
DeRoche	Kahn	Pastor	Williams
Donigan	Kooiman	Pavlov	Wojno
Drolet	LaJoy	Pearce	Zelenko
Ebli			

**Nays—0**

In The Chair: Caswell

The House agreed to the title as amended.

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

Rep. Sak moved that Rep. McConico be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

**House Bill No. 5022, entitled**

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

(The bill was received from the Senate on December 6, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 7, see House Journal No. 91, p. 2946.)

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

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

**Roll Call No. 1264**

**Yeas—105**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrah	Lemmons, Jr.	Sak
Angerer	Gaffney	Lipsey	Schuitmaker
Ball	Garfield	Marleau	Shaffer

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

**Nays—0**

In The Chair: Caswell

The House agreed to the title as amended.

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

Rep. Pastor moved that Reps. Moolenaar and DeRoche be excused temporarily from today's session.  
The motion prevailed.

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

The Speaker laid before the House

**House Bill No. 5374, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 507, 508, 517, 518, 549a, and 549g (MCL 600.507, 600.508, 600.517, 600.518, 600.549a, and 600.549g), section 507 as amended by 2001 PA 252, section 508 as amended by 2001 PA 253, section 517 as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, and section 549g as added by 1981 PA 182.

(The bill was received from the Senate on December 6, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 7, see House Journal No. 91, p. 2946.)

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

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

**Roll Call No. 1265**

**Yeas—104**

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

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

**Nays—0**

In The Chair: Caswell

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 5968, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2004 PA 220.

(The bill was received from the Senate on December 6, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 7, see House Journal No. 91, p. 2947.)

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

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

**Roll Call No. 1266****Yeas—107**

Accavitti	Emmons	Law, Kathleen	Proos
Acciavatti	Espinoza	Leland	Robertson
Adamini	Farhat	Lemmons, III	Rocca
Amos	Farrah	Lemmons, Jr.	Sak
Anderson	Gaffney	Lipsey	Schuitmaker
Angerer	Garfield	Marleau	Shaffer
Ball	Gillard	Mayes	Sheen
Baxter	Gleason	McConico	Sheltrown

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

### Nays—0

In The Chair: Caswell

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

#### **House Bill No. 4357, entitled**

A bill to amend 2004 PA 438, entitled “An act to designate Police Officers Memorial Day in the state of Michigan,” by amending the title and sections 1 and 2 (MCL 435.351 and 435.352).

(The bill was received from the Senate on December 12, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 93, p. 3049.)

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

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

1. Amend page 1, line 4, after “**AS**” by striking out “**FIREFIGHTERS**” and inserting “**VICTIMS OF TERRORISM**”.
2. Amend page 2, line 3, after “**LIVES**” by striking out “**WHILE SERVING AS FIREFIGHTERS IN THE STATE OF MICHIGAN**” and inserting “**TO ACTS OF TERRORISM**”.
3. Amend page 2, line 4, after “**AS**” by striking out “**FIREFIGHTERS**” and inserting “**VICTIMS OF TERRORISM**”.
4. Amend page 2, line 8, after “officers” by striking out “**AND FIREFIGHTERS**” and inserting a comma and “**FIREFIGHTERS, AND VICTIMS OF TERRORISM**”.

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

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

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

1. Amend page 1, line 3, after “designate” by striking out “**SEPTEMBER 11**” and inserting “**MAY 4**”.

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

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

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

**Roll Call No. 1267****Yeas—108**

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

**Nays—0**

In The Chair: Caswell

The Speaker laid before the House

**House Bill No. 6118, entitled**

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending sections 3, 8, and 10 (MCL 207.803, 207.808, and 207.810), sections 3 and 8 as amended by 2006 PA 117 and section 10 as amended by 2003 PA 248.

(The bill was received from the Senate on December 6, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 7, see House Journal No. 91, p. 2947.)

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

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

**Roll Call No. 1268****Yeas—109**

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Robertson
Amos	Farhat	Lemmons, III	Rocca
Anderson	Farrah	Lemmons, Jr.	Sak

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

### Nays—0

In The Chair: Caswell

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

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

The House agreed to the title as amended.

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

### House Bill No. 5529, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and certain cities; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal acts and parts of acts,” by amending section 11 (MCL 41.811), as amended by 2004 PA 464.

The Senate has passed the bill and ordered that it be given immediate effect.

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

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

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

### House Bill No. 6116, entitled

A bill to amend 1959 PA 54, entitled “An act to provide for the disposition and sale of certain stolen property recovered by any county sheriff; and to provide for the disposition of the proceeds of sale and certain other property,” by amending section 1 (MCL 434.171), as amended by 1984 PA 257.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 5553, entitled**

A bill to amend 1988 PA 57, entitled "An act to provide for the incorporation by 2 or more municipalities of certain authorities for the purpose of providing emergency services to municipalities; to provide for the powers and duties of authorities and of certain state and local agencies and officers; to guarantee certain labor contracts and employment rights in regard to the formation and reorganization of authorities; to provide for certain condemnation proceedings; to provide for the levy of property taxes for certain purposes; and to prescribe penalties and provide remedies," by amending the title and sections 5 and 9 (MCL 124.605 and 124.609), the title as amended by 1999 PA 167.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 4735, entitled**

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," (MCL 38.1601 to 38.1648) by adding section 41a.

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

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

**House Bill No. 5545, entitled**

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 3 (MCL 207.623).

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

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

By unanimous consent the House returned to the order of

**Reports of Select Committees**

**House Bill No. 4315, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 1982 PA 299.

(The conference report was adopted on December 7, see House Journal No. 92, p. 2977; motion made to reconsider the vote by which the House adopted the conference report and motion postponed for the day on December 12, see House Journal No. 93, p. 3044.)

(For first notice, see House Journal No. 92, p. 2980.)  
The question being on the motion made previously by Rep. Drolet,  
Rep. Drolet withdrew the motion.



### Messages from the Senate

The Speaker laid before the House

**House Bill No. 4317, entitled**

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 12 (MCL 45.562).

(The bill was received from the Senate on December 7, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 8, see House Journal No. 106 of 2005, p. 2450.)

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

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

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

Rep. Drolet moved that the Committee on Government Operations be discharged from further consideration of **Senate Bill No. 775**.

(For first notice see House Journal No. 93, p. 3050.)

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

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

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

Rep. Stakoe moved that the Committee on Local Government and Urban Policy be discharged from further consideration of **Senate Bill No. 59**.

(For first notice see House Journal No. 93, p. 3050.)

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

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

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

Rep. Ward moved that the Committee on Judiciary be discharged from further consideration of **Senate Bill No. 613**.

(For first notice see House Journal No. 93, p. 3050.)

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

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

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

Rep. Palmer moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 1327**.

(For first notice see House Journal No. 93, p. 3050.)

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

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

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

Rep. Palmer moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 1427**.

(For first notice see House Journal No. 93, p. 3050.)

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

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

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

### Messages from the Senate

The House returned to the consideration of  
**House Bill No. 4317, entitled**

A bill to amend 1973 PA 139, entitled “An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,” by amending section 12 (MCL 45.562).

(The bill was considered earlier today, see today’s Journal, p. 3117.)

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

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

#### Roll Call No. 1269

#### Yeas—71

Accavitti	Espinoza	Lemmons, III	Proos
Acciavatti	Farrah	Lemmons, Jr.	Sak
Amos	Gaffney	Lipsey	Sheltrown
Anderson	Garfield	Marleau	Smith, Alma
Angerer	Gleason	Mayes	Smith, Virgil
Baxter	Gonzales	McConico	Spade
Bieda	Green	Meadows	Stahl
Booher	Hansen	Meisner	Stakoe
Byrnes	Hildenbrand	Meyer	Stewart
Caul	Hoogendyk	Moolenaar	Tobocman
Cheeks	Hopgood	Mortimer	Van Regenmorter
Clack	Hunter	Murphy	Walker
Clemente	Jones, Rick	Nitz	Ward
Condino	Kolb	Nofs	Waters
DeRoche	Kooiman	Pavlov	Wenke
Dillon	LaJoy	Pearce	Williams
Donigan	Law, Kathleen	Plakas	Zelenko
Elsenheimer	Leland	Polidori	

#### Nays—37

Adamini	Ebli	Kahn	Robertson
Ball	Farhat	Law, David	Rocca
Bennett	Gillard	McDowell	Schuitmaker
Brandenburg	Gosselin	Miller	Shaffer
Brown	Hood	Moore	Sheen
Byrum	Huizenga	Newell	Taub
Casperson	Hummel	Palmer	Vagnozzi
Caswell	Hune	Palsrok	Vander Veen
Cushingberry	Jones, Hayes	Pastor	Wojno
Drolet			

In The Chair: Caswell

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

The Speaker Pro Tempore resumed the Chair.

**Second Reading of Bills**

**Senate Bill No. 309, entitled**

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending the title and section 3 (MCL 445.63) and by adding sections 12, 12a, and 12b.

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

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 2, line 1, after "STATE." by inserting "THE TERM DOES NOT INCLUDE A CIRCUIT, PROBATE, DISTRICT, OR MUNICIPAL COURT."

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 5, line 16, after "THAN" by striking out "THE LAST".

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

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

The motion prevailed.

**Senate Bill No. 1148, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2006 PA 440.

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

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

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

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1148, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8a (MCL 125.2688a), as amended by 2006 PA 440.

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

**Roll Call No. 1270**

**Yeas—107**

Accavitti  
Acciavatti  
Adamini

Elsenheimer  
Emmons  
Espinoza

Law, David  
Law, Kathleen  
Leland

Proos  
Robertson  
Rocca

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

### Nays—1

Pastor

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

Rep. Pastor moved that Reps. Moolenaar and Nofs be excused temporarily from today’s session.  
The motion prevailed.

By unanimous consent the House returned to the order of

### Motions and Resolutions

#### Senate Bill No. 640, entitled

A bill to permit the establishment and maintenance of individual or family development accounts; to provide for certain tax deductions; to prescribe the requirements of and restrictions on individual or family development accounts; and to provide penalties and remedies.

(The bill was returned in accordance with the request of the House, motion made to reconsider the vote by which the House passed the bill and motion postponed for the day on December 6, see House Journal No. 91, p. 2927.)

The question being on the motion made previously by Rep. Hildenbrand,

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

### Third Reading of Bills

#### Senate Bill No. 640, entitled

A bill to permit the establishment and maintenance of individual or family development accounts; to provide for certain tax deductions and tax credits; to prescribe the requirements of and restrictions on individual or family development accounts; to provide for the promulgation of rules; and to provide penalties and remedies.

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-2) 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. 1271

#### Yeas—106

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

#### Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

### Second Reading of Bills

#### Senate Bill No. 1393, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57k (MCL 400.57k), as amended by 2004 PA 445.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1393, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57k (MCL 400.57k), as amended by 2004 PA 445.

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

#### Roll Call No. 1272

#### Yeas—108

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

#### Nays—0

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Rep. Ward moved that a respectful message be sent to the Senate requesting the return of **House Bill No. 6323**.

The motion prevailed.

### **Reports of Select Committees**

#### **First Conference Report**

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

#### **House Bill No. 5453, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 52512.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 52504 (MCL 324.52504), as added by 2004 PA 125.

#### **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

Sec. 52504. (1) ~~After the plan is adopted under section 52503, the~~ THE department shall harvest timber from the state forest and other state owned lands owned or controlled by the department in compliance with the plan and any plan updates.

(2) Unless otherwise dedicated by law, proceeds from the sale of timber from the state forest and other state owned lands owned or controlled by the department shall be forwarded to the state treasurer for deposit into the forest development fund established pursuant to section 50507.

**(3) NOT LATER THAN DECEMBER 31 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT, TO THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES WITH JURISDICTION OVER FORESTRY ISSUES, THAT INCLUDES ALL OF THE FOLLOWING:**

**(A) THE TOTAL NUMBER OF ACRES IN THE STATE FOREST THAT HAVE BEEN IDENTIFIED BY THE DEPARTMENT AS HAVING SITE CONDITIONS THAT RESTRAIN TIMBER SALES.**

**(B) THE SITE CONDITIONS APPLICABLE TO ACREAGE IDENTIFIED UNDER SUBDIVISION (A).**

**(C) THE TOTAL NUMBER OF ACRES IDENTIFIED UNDER SUBDIVISION (A) IN THE PREVIOUS YEAR'S REPORT THAT ARE NOT IDENTIFIED UNDER SUBDIVISION (A) IN THE CURRENT REPORT AND HAVE BEEN MADE AVAILABLE FOR TIMBER SALE.**

**(D) THE LOCATIONS WHERE THE ACRES IDENTIFIED UNDER SUBDIVISION (A) AND ACRES AS IDENTIFIED UNDER SUBDIVISION (C) ARE LOCATED.**

**(E) A STATEMENT OF WHAT THE DEPARTMENT INTENDS TO DO TO REMOVE THE PARTICULAR SITE CONDITIONS IDENTIFIED UNDER SUBDIVISION (B).**

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

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 52504 (MCL 324.52504), as added by 2004 PA 125.

Tom Casperson  
Dave Hildenbrand  
Joel Sheltroun  
Conferees for the House

Gerald Van Woerkom  
Judson Gilbert II  
Conferees for the Senate

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

**Reports of Standing Committees**

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, December 13, 2006

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

Absent: Reps. Brandenburg and Steil

Excused: Reps. Brandenburg and Steil

**Messages from the Senate**

**House Bill No. 5420, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2827 (MCL 333.2827).

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

The House agreed to the full title.

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

**House Bill No. 5853, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 525 (MCL 436.1525), as amended by 2005 PA 166.

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

The House agreed to the full title.

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

**House Bill No. 6174, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;



to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” by amending sections 5, 5c, and 5f (MCL 722.115, 722.115c, and 722.115f), section 5 as amended by 2006 PA 51, section 5c as added by 2005 PA 133, and section 5f as added by 2005 PA 128.

The Senate has passed the bill and ordered that it be given immediate effect.

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

**House Bill No. 6245, entitled**

A bill to amend 2000 PA 190, entitled “Privately owned cervidae producers marketing act,” by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 16, 17, and 18 (MCL 287.952, 287.953, 287.954, 287.955, 287.956, 287.957, 287.958, 287.959, 287.960, 287.961, 287.964, 287.966, 287.967, and 287.968); and to repeal acts and parts of acts.

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

The House agreed to the full title.

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

**House Bill No. 6291, entitled**

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

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

The House agreed to the full title.

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

**House Bill No. 6295, entitled**

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

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

The House agreed to the full title.

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

**House Bill No. 6299, entitled**

A bill to amend 1999 PA 276, entitled “Banking code of 1999,” by amending sections 4401 and 4405 (MCL 487.14401 and 487.14405).

The Senate has passed the bill by a 2/3 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 6300, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20950 (MCL 333.20950), as amended by 2000 PA 375.

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

The House agreed to the full title.

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

**House Bill No. 6302, entitled**

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 2, 6, 7, 7a, 7b, and 8 (MCL 390.1452, 390.1456, 390.1457, 390.1457a, 390.1457b, and 390.1458), sections 2, 6, and 8 as amended and sections 7a and 7b as added by 2004 PA 595 and section 7 as amended by 2006 PA 241; and to repeal acts and parts of acts.

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

The House agreed to the full title.

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

**House Bill No. 6309, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2844a (MCL 333.2844a), as amended by 1990 PA 149.

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

The House agreed to the full title.

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

**House Bill No. 6395, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 701 (MCL 436.1701), as amended by 2002 PA 725.

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

The House agreed to the full title.

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

**House Bill No. 6449, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 501 (MCL 436.1501), as amended by 2000 PA 431.

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

The House agreed to the full title.

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

**House Bill No. 4257, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the part heading of part 361 and by adding part 363.

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

The Senate has passed the bill as substituted (S-3) and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4328, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 482 (MCL 168.482), as amended by 1998 PA 142.

The Senate has amended the bill as follows:

1. Amend page 3, following line 16, by inserting:

"Enacting section 1. This amendatory act takes effect January 31, 2008."

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4420, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 8 and 17 (MCL 722.628 and 722.637), section 8 as amended by 2004 PA 195 and section 17 as added by 1997 PA 168.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe

penalties; and to repeal certain acts and parts of acts,” by amending sections 8 and 17 (MCL 722.628 and 722.637), as amended by 2006 PA 256.

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

**House Bill No. 4455, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 2227.

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

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

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

**House Bill No. 5389, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding sections 109i and 109j.

The Senate has amended the bill as follows:

1. Amend page 4, line 19, after “(I)” by inserting “EXCEPT AS PROVIDED IN SUBSECTION (20), FOR”.

2. Amend page 10, line 6, after “COSTS.” by inserting “THE COST-BENEFIT ANALYSIS REQUIRED IN THIS SUBSECTION SHALL INCLUDE AN ANALYSIS OF THE COST TO HOSPITALS WHEN THERE IS A DELAY IN A PATIENT’S DISCHARGE FROM A HOSPITAL DUE TO THE HOSPITAL’S COMPLIANCE WITH THE PROVISIONS OF THIS SECTION.”.

3. Amend page 12, following line 3, following subsection (19), by inserting:

“(20) THE PROVISIONS OF THIS SECTION AND SECTION 109J DO NOT APPLY AFTER DECEMBER 31, 2011.

(21) FUNDING FOR THE MI CHOICE WAIVER PROGRAM SHALL NOT BE REDUCED BELOW THE LEVEL OF RATES AND PAYMENTS IN EFFECT ON OCTOBER 1, 2006, AS A DIRECT RESULT OF THE 4 PILOT SINGLE POINT OF ENTRY AGENCIES DESIGNATED UNDER SUBSECTION (9).

(22) A SINGLE POINT OF ENTRY AGENCY FOR LONG-TERM CARE MAY ESTABLISH A MEMORANDUM OF UNDERSTANDING WITH ANY HOSPITAL WITHIN ITS DESIGNATED AREA THAT ALLOWS THE SINGLE POINT OF ENTRY AGENCY FOR LONG-TERM CARE TO RECOGNIZE AND UTILIZE AN INITIAL EVALUATION AND PRELIMINARY LONG-TERM CARE SUPPORT PLAN DEVELOPED BY THE HOSPITAL DISCHARGE PLANNER IF THOSE PLANS WERE DEVELOPED WITH THE CONSUMER, HIS OR HER GUARDIAN, OR HIS OR HER AUTHORIZED REPRESENTATIVE.” and renumbering the remaining subsection.

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

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

**House Bill No. 5603, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5141.

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

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

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

**House Bill No. 5872, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 20120e.

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

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

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

**House Bill No. 5901, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 2005 PA 115.

The Senate has amended the bill as follows:

1. Amend page 9, line 20, after "COMMISSION" by inserting "AND THAT PLAN PROVIDES FOR THE PAYMENT OF INTEREST ON THOSE TAXES AT A RATE DESCRIBED IN SECTION 23(2) OF 1941 PA 122, MCL 205.23".

The Senate has passed the bill as amended and ordered that it be given immediate effect.

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

**House Bill No. 5947, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2005 PA 339.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1992 PA 147, entitled "An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units," by amending section 4 (MCL 207.774), as amended by 2006 PA 349.

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

**House Bill No. 6173, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230, 1230a, 1230c, 1230d, 1230g, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230c, 380.1230d, 380.1230g, 380.1535a, and 380.1539b), as amended by 2006 PA 84, and by adding section 1230e.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 1230, 1230a, 1230c, 1230d, 1230g, 1351, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230c, 380.1230d, 380.1230g, 380.1351, 380.1535a, and 380.1539b), sections 1230, 1230a, 1230c, 1230d, 1230g, 1535a, and 1539b as amended by 2006 PA 84 and section 1351 as amended by 2003 PA 299, and by adding section 1230e.

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

**House Bill No. 6267, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending the title and sections 3 and 37 (MCL 338.2203 and 338.2237), section 3 as amended by 1993 PA 139 and section 37 as amended by 2003 PA 87.

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

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

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

**House Bill No. 6292, entitled**

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

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

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," (MCL 206.1 to 206.532) by adding section 277.

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

**House Bill No. 6293, entitled**

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

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

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

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

**House Bill No. 6308, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 3, 4, and 5 (MCL 52.203, 52.204, and 52.205), section 5 as amended by 1980 PA 401.

The Senate has amended the bill as follows:

1. Amend page 2, line 11, after "**WEIGHT,**" by inserting "**HAIR COLOR, EYE COLOR,**".
2. Amend page 5, line 3, after "**WEIGHT,**" by inserting "**HAIR COLOR, EYE COLOR,**".
3. Amend page 2, line 21, by striking out all of section 4.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 3 and 5 (MCL 52.203 and 52.205), section 5 as amended by 1980 PA 401.

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

**House Bill No. 6392, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16184 and 16185 (MCL 333.16184 and 333.16185), section 16184 as added by 2006 PA 24 and section 16185 as added by 2006 PA 25.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases

and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 16184 (MCL 333.16184), as added by 2006 PA 24.

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

**House Bill No. 6603, entitled**

A bill to provide for the sharing of certain health care coverage information; to provide for the powers and duties of certain departments and agencies; and to provide penalties and fines.

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

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

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

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

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, December 13, for her approval of the following bills:

**Enrolled House Bill No. 4042 at 9:58 a.m.**  
**Enrolled House Bill No. 5435 at 10:00 a.m.**  
**Enrolled House Bill No. 5492 at 10:02 a.m.**  
**Enrolled House Bill No. 6039 at 10:04 a.m.**  
**Enrolled House Bill No. 6318 at 10:06 a.m.**  
**Enrolled House Bill No. 6455 at 10:08 a.m.**  
**Enrolled House Bill No. 6359 at 11:20 a.m.**

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

**Senate Bill Nos. 1520 1521**

---

Rep. Farrah moved that the House adjourn.  
The motion prevailed, the time being 6:10 p.m.

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

GARY L. RANDALL  
Clerk of the House of Representatives