

No. 55
STATE OF MICHIGAN
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House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Thursday, June 5, 2008.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rep. Richard LeBlanc, from the 18th District, offered the following invocation:

“Dear Heavenly Father, as we gather in this chamber today, we thank You for the opportunity and privilege to serve You and the people of Michigan. Lord, we pray that You grant us the willingness to reconcile when necessary, and the wisdom to craft good public policy and to make decisions that are in the best interest of those we represent.

And Lord, as we assemble together on this magnificent day to do Your work, we also pray for continued growth of freedom and democracy, remembering our troops and our veterans.

Lord, we thank You for all that You provide, every day.

In Your holy name, we pray. Amen.”

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

Reports of Standing Committees

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Bill No. 5862, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Bill No. 5874, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Bill No. 5877, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 4 (MCL 205.94), as amended by 2007 PA 103.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
 Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Agriculture, was received and read:
 Meeting held on: Wednesday, June 4, 2008

Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

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

Senate Bill No. 1095, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Favorable Roll Call

To Report Out:

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

Nays: Reps. Acciavatti, Brandenburg, Booher, Proos, Agema and Moss

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

Senate Bill No. 1107, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 4, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 18b, 19, 20, 20d, 20j, 22a, 22b, 22d, 24, 24a, 24c, 25c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 38, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 104b, 105, 105c, 107, 147, 151, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611g, 388.1611j, 388.1611k, 388.1611m, 388.1615, 388.1618b, 388.1619, 388.1620, 388.1620d, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1624a, 388.1624c, 388.1625c, 388.1626a, 388.1626b, 388.1629, 388.1631a, 388.1631d, 388.1631f, 388.1632b, 388.1632c, 388.1632d, 388.1632j, 388.1632l, 388.1637, 388.1638, 388.1639, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1664, 388.1665, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1699e, 388.1704, 388.1704b, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1751, and 388.1764c), sections 3, 6, 11, 11a, 11g, 11j, 11k, 11m, 15, 19, 20, 20j, 22a, 22b, 22d, 24, 24a, 24c, 26a, 26b, 29, 31a, 31d, 31f, 32b, 32c, 32d, 32j, 32l, 37, 39, 39a, 41, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 64, 65, 74, 81, 94a, 98, 99, 99e, 104, 107, and 151 as amended by 2007 PA 137, sections 4 and 164c as amended by 2005 PA 155, section 18b as added by 2000 PA 297, section 20d as amended by 1997 PA 93, section 25c as added by 2001 PA 121, section 38 as amended by 2003 PA 158, section 104b as added by 2004 PA 593, sections 105 and 105c as amended by 2006 PA 342, and section 147 as amended by 2007 PA 92, and by adding sections 11n, 22e, 32e, 42, 57a, 99m, 99n, and 99o; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 4, 2008

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

The Committee on New Economy and Quality of Life, by Rep. Clemente, Chair, reported

House Bill No. 6150, entitled

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Hildenbrand and Garfield

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, June 5, 2008

Present: Reps. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Hildenbrand and Garfield

Absent: Reps. Huizenga and Pastor

Excused: Reps. Huizenga and Pastor

The Committee on Retiree Health Care Reforms, by Rep. Meadows, Chair, reported

House Bill No. 5966, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 45 (MCL 38.45), as amended by 2002 PA 743.

With the recommendation that the bill be referred to the Committee on Labor.

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Coulouris, Johnson, Valentine, Wenke, Calley and Knollenberg

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Labor.

The Committee on Retiree Health Care Reforms, by Rep. Meadows, Chair, reported

House Bill No. 6118, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 50b (MCL 38.1050b), as amended by 1998 PA 501.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Coulouris, Johnson, Valentine, Wenke, Calley and Knollenberg
Nays: None

The Committee on Retiree Health Care Reforms, by Rep. Meadows, Chair, reported

House Bill No. 6119, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 42 (MCL 38.1642), as amended by 2004 PA 50.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Coulouris, Johnson, Valentine, Wenke, Calley and Knollenberg
Nays: None

The Committee on Retiree Health Care Reforms, by Rep. Meadows, Chair, reported

House Bill No. 6120, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 3 (MCL 38.3).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meadows, Coulouris, Johnson, Valentine, Wenke, Calley and Knollenberg
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meadows, Chair, of the Committee on Retiree Health Care Reforms, was received and read:

Meeting held on: Thursday, June 5, 2008

Present: Reps. Meadows, Coulouris, Johnson, Valentine, Wenke, Calley and Knollenberg

Absent: Reps. Spade, Alma Smith and Moss

Excused: Reps. Spade, Alma Smith and Moss

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

Senate Bill No. 1094, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

To Report Out:

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

Nays: Reps. Acciavatti, Brandenburg, Amos, Booher, Agema and Moss

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

Senate Bill No. 1096, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

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

Favorable Roll Call

To Report Out:

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

Nays: Reps. Acciavatti and Agema

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

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Booher and Hansen

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 5, 2008

Present: Reps. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Johnson, Gaffney, Hune, Marleau, Green, Ball, Calley, Robertson and Moore

Communications from State Officers

The following communication from the Department of Labor and Economic Growth was received and read:

June 2, 2008

The enclosed annual report, *Status of Telecommunications Competition in Michigan*, is submitted on behalf of the Michigan Public Service Commission in accordance with Section 103 of the Michigan Telecommunications Act. This report, as well as reports from previous years, will be available on the Commission website at www.michigan.gov/mpsc. The purpose of this report is to describe the status of competition in telecommunications services in Michigan, including,

but not limited to, the toll and local exchange markets in the state. As in previous years, this report includes information on the traditional wireline industry as well as services provided via diverse telecommunications technologies, such as wireless and Voice over Internet Protocol (VoIP).

In a trend that began in 2002, the total number of wirelines in Michigan has again decreased. For 2007 the total number of wirelines in Michigan decreased 6.8% from the previous year. In both 2005 and 2006, there was also a decrease in the percentage of lines served by competitive providers. However, for 2007 we see a reversal of this trend, with the competitive providers' market share increasing from 18.3% to 20.7%.

A significant regulatory event played a large role in the levels of competition in Michigan over the past few years. As mentioned in previous reports, the Federal Communications Commission (FCC) and the courts overturned portions of the FCC's Triennial Review Order in 2005, and eliminated the incumbents' obligation to provide an unbundled network element platform (UNE-P) to the competitors at a regulated price. Competitive providers' transition away from regulated UNE-P was completed in 2006. This transition to alternate means of serving customers was likely a large factor in the decrease in competitive market share seen in 2005 and 2006.

The data for 2007 indicate that the competitive market is rebounding in Michigan, largely due to the investment in infrastructure of the competitive providers. While competitive providers can offer service to customers through a variety of methods that use the incumbent providers' networks, in 2007 we see a large increase, from 14.8% to 25.1%, in the percentage of competitive lines served via the competitive providers' own facilities. While the competitive market share is still below the 2004 high of 27.5%, the additional network investment by competitive providers is a very positive sign, as it indicates a higher probability of more stable competition in the future.

Additional data available to the Commission allows for the monitoring of other non-wireline telecommunications market developments. These areas continue to experience rapid growth. The number of wireless subscriptions in Michigan continues to increase; the FCC reports that there over 7.3 million wireless subscriptions in Michigan as of June 30, 2007. High speed internet connections have also increased substantially; over 1 million additional lines were reported to the FCC for the 12 month period between June 30, 2006 and June 30, 2007 bringing Michigan's total high speed lines to just under 3 million as of June 30, 2007. The availability of high speed access to the internet affects emerging telecommunications services such as VoIP. VoIP service in Michigan is being offered by many different companies—from cable television providers to traditional telecommunications companies. The number of reported VoIP connections in Michigan has also increased over the previous year.

The *Status of Telecommunications Competition in Michigan* report for 2007 finds that while the total number of wirelines continues to decrease, competitive providers are beginning to regain market share that was lost in 2005 and 2006. Additionally, competitive providers are serving more lines via their own facilities. This requires the competitive provider to make additional significant investment, which is an indication that the provider has the intent of remaining in the marketplace in the long term. The Commission will continue to strive to meet its obligations under the MTA to ensure a just and reasonable primary basic local exchange service rate; enforce basic consumer protections, including prohibitions against slamming and cramming; and resolve disputes that arise under the MTA. At the same time, the Commission is committed to monitoring new technology developments and any impacts on the competitive landscape in Michigan. The Commission will also apprise the Governor and the Legislature of any future developments that may warrant action.

Sincerely,
Orjiakor N. Isiogu, Chairman
Monica Martinez, Commissioner
Steven A. Transeth, Commissioner

The communication was referred to the Clerk.

The following communication from the Office of the State Budget was received and read:

June 3, 2008

This letter transmits the "Statement of the Proportion of Total State Spending From State Sources Paid to Units of Local Government - Legal Basis" for fiscal year 2007, which has been prepared in accordance with Sections 18.1115(5), 18.1303-18.1305, 18.1349, 18.1350, 18.1497, and 18.1498 of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 30 of the Michigan Constitution.

The computed percentage of total state spending from state sources paid to local governments for fiscal year 2007 is 58.20%, which is \$2.5 billion more than the minimum required.

The statement has been reviewed by the Office of the Auditor General and a copy of their independent accountant's review letter is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Robert L. Emerson
State Budget Director

The communication was referred to the Clerk.

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

June 4, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:52 p.m. this date, administrative rule (08-06-01) for the Department of Labor and Economic Growth "Manufactured Housing".

These rules take effect 90 days after filing with the Secretary of State.

June 4, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:54 p.m. this date, administrative rule (08-06-02) for the Department of Labor and Economic Growth "Part 58. Vehicle Mounted Elevating and Rotating Work Platforms".

These rules take effect 14 days after filing with the Secretary of State.

June 4, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:56 p.m. this date, administrative rule (08-06-03) for the Department of Labor and Economic Growth "Part 5. Scaffolding".

These rules take effect 14 days after filing with the Secretary of State.

June 4, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:58 p.m. this date, administrative rule (08-06-04) for the Department of Human Services "Licensing Rules for Child Care Centers".

These rules take effect immediately after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

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

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

Senate Bill No. 1096, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 16, following line 23, by inserting:

“Sec. 222. From the funds appropriated in part 1, the department shall develop, post, and maintain a user friendly and publicly accessible Internet site with all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Angerer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 478

Yeas—84

Accavitti	Dillon	LaJoy	Pastor
Acciavatti	Donigan	Law, David	Pavlov
Agema	Ebli	LeBlanc	Pearce
Amos	Elsenheimer	Leland	Polidori
Angerer	Emmons	Lemmons	Proos
Ball	Farrah	Lindberg	Robertson
Bieda	Gaffney	Marleau	Rocca
Booher	Garfield	Mayes	Sak
Brandenburg	Green	McDowell	Schuitmaker
Brown	Griffin	Meekhof	Shaffer
Byrum	Hammon	Meisner	Sheen
Calley	Hansen	Melton	Sheltrown
Casperson	Hildenbrand	Meltzer	Simpson
Caswell	Hoogendyk	Miller	Spade
Caul	Horn	Moolenaar	Stahl
Clemente	Huizenga	Moore	Stakoe
Constan	Hune	Moss	Valentine
Corriveau	Jones, Rick	Nitz	Walker
Coulouris	Jones, Robert	Nofs	Ward
Dean	Knollenberg	Palmer	Wenke
DeRoche	Lahti	Palsrok	Wojno

Nays—24

Bauer	Cushingberry	Hopgood	Smith, Alma
Bennett	Espinoza	Jackson	Smith, Virgil
Byrnes	Gillard	Johnson	Tobocman
Cheeks	Gonzales	Law, Kathleen	Vagnozzi
Clack	Hammel	Meadows	Warren
Condino	Hood	Scott	Young

In The Chair: Sak

Rep. Moss moved to amend the bill as follows:

1. Amend page 7, line 1, by striking out all of lines 1 and 2 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Moss moved to amend the bill as follows:

1. Amend page 17, following line 15, by inserting:

“Sec. 303. It is the intent of the legislature that the state superintendent of public instruction shall close any school with a graduation rate less than 30%.”.

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

Rep. Moss moved to amend the bill as follows:

1. Amend page 16, following line 23, by inserting:

“Sec. 223. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall do the following:

(a) Implement a spending plan for the fiscal year ending September 30, 2009 which incorporates a 5.0% reduction from the general fund/general purpose dollars appropriated in part 1.

(b) Provide the senate and house appropriations subcommittees responsible for the department budget and the senate and house fiscal agencies a list of budget cuts sufficient to reduce department general fund/general purpose spending by 5.0% for the fiscal year ending September 30, 2009.”.

The question being on the adoption of the amendment offered by Moss,

Rep. Angerer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Moss,

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

Roll Call No. 479

Yeas—50

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

Nays—58

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

In The Chair: Sak

Rep. Gillard moved to amend the bill as follows:

1. Amend page 3, following line 9, by inserting:

“Comprehensive school reform and finance study 100”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Gillard moved to amend the bill as follows:

1. Amend page 7, line 13, after “operations” by striking out “20.0” and inserting “20.5” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 7, line 13, by striking out “2,988,000” and inserting “3,038,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

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

The motion prevailed.

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

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

Rep. Nitz moved that Rep. Garfield 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. 1096, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Roll Call No. 480

Yeas—58

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

Nays—49

Acciavatti	Gaffney	Marleau	Pearce
Agema	Green	Meekhof	Proos

Amos	Hansen	Meltzer	Robertson
Ball	Hildenbrand	Moolenaar	Schuitmaker
Booher	Hoogendyk	Moore	Shaffer
Brandenburg	Horn	Moss	Sheen
Calley	Huizenga	Nitz	Smith, Alma
Casperson	Hune	Nofs	Stahl
Caswell	Jones, Rick	Palmer	Stakoe
Caul	Knollenberg	Palsrok	Walker
DeRoche	LaJoy	Pastor	Ward
Elsenheimer	Law, David	Pavlov	Wenke
Emmons			

In The Chair: Sak

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

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

“Mr. Speaker and members of the House:
 The sub was given to us at the last minute and I have no idea what is in it.”

Second Reading of Bills

Senate Bill No. 1094, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Rep. Emmons moved to amend the bill as follows:

1. Amend page 87, line 8, after “allocate” by striking out “\$582,900.00” and inserting “\$251,700.00”.
2. Amend page 87, line 9, after “to” by striking out “Muskegon” and inserting “Montcalm” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Meekhof moved to amend the bill as follows:

1. Amend page 7, following line 8, by inserting:
 “Statewide network of cord blood stem cell banks 5,385,500”.
2. Amend page 7, line 20, by striking out “6,001,100” and inserting “10,652,300”.
3. Amend page 7, line 21, by striking out “1,604,200” and inserting “2,338,500”.
4. Amend page 12, line 27, by striking out “9,793,800” and inserting “6,013,100”.
5. Amend page 13, line 3, by striking out “5,235,400” and inserting “3,630,600”.
6. Amend page 13, line 14, by striking out “8,037,500” and inserting “3,386,300”.
7. Amend page 13, line 15, by striking out “5,292,300” and inserting “4,558,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 38, following line 1, by inserting:

“Sec. 283. From the funds appropriated in part 1, the department shall develop, post, and maintain a user friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 38, following line 1, by inserting:

“Sec. 283. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall:

(a) Implement a spending plan for fiscal year 2008-2009 which incorporates a 5.0% reduction from the dollars appropriated in part 1.

(b) Provide the senate and house appropriations subcommittees on community health and the senate and house fiscal agencies a list of budget cuts sufficient to reduce department spending by 5.0% in fiscal year 2008-2009.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1094, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

Roll Call No. 481

Yeas—60

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

Nays—47

Acciavatti	Emmons	Marleau	Pearce
Agema	Green	Meekhof	Proos

Amos	Hansen	Meltzer	Robertson
Ball	Hildenbrand	Moolenaar	Schuitmaker
Booher	Hoogendyk	Moore	Shaffer
Brandenburg	Horn	Moss	Sheen
Calley	Huizenga	Nitz	Stahl
Casperson	Hune	Nofs	Stakoe
Caswell	Jones, Rick	Palmer	Walker
Caul	Knollenberg	Palsrok	Ward
DeRoche	LaJoy	Pastor	Wenke
Elsenheimer	Law, David	Pavlov	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

This bill spends \$30 million more than the Governor in GF. We can’t afford it unless we have another tax increase.”

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

“Mr. Speaker and members of the House:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms and new structural deficits this bill creates.

The FY 2008-2009 budget is dependent on the Democrats’ \$1.4 billion tax hike as well as several one-time funding gimmicks. If we allow spending to go unchecked, we will have to raise taxes again in the near future.

The director of the non-partisan House Fiscal Agency has said we cannot afford the spending. The House Democrat budget is even higher than what the governor proposed. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

Not enough was done last year to cut waste and reform government, and as a result taxes went up. If we want to fix governor’s proposed level of our economy, we need to get our spending problem under control. This budget does not do that.

For these reasons, I cannot support this bill at this time.”

Second Reading of Bills

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Lahti moved to amend the bill as follows:

1. Amend page 31, following line 8, by inserting:

“Sec. 805. From the funds appropriated in part 1, the department shall provide for a designated snowmobile route connecting the village of Bellaire to the Jordan River Trail across state owned land with associated reasonable restrictions that mitigate negative impacts on the natural resources.”.

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

Rep. Angerer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 482

Yeas—107

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

Nays—0

In The Chair: Sak

Rep. Moore moved to amend the bill as follows:

1. Amend page 25, following line 19, by inserting:

“Sec. 226. The department shall not increase the cost of any fee, license, or permit to use any department maintained property, or to make reservations for the use or occupancy of any campsite or state park facility. It is the intent of the legislature that no fee increase shall take effect during the fiscal year ending September 30, 2009.”.

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

Rep. Horn moved to amend the bill as follows:

1. Amend page 29, following line 24, by inserting:

“Sec. 705. The department shall establish 1 free state park weekend for residents in each of the 4 seasons of the year.”.

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

Rep. Booher moved to amend the bill as follows:

1. Amend page 25, following line 19, by inserting:

“Sec. 226. From the funds appropriated in part 1, the department shall develop, post, and maintain a user friendly and publicly accessible Internet site, with all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 25, following line 19, by inserting:

“Sec. 226. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall:

(a) Implement a spending plan for fiscal year 2008-2009 which incorporates a 5.0% reduction from the dollars appropriated in part 1.

(b) Provide the senate and house appropriations subcommittees on the department of natural resources and the senate and house fiscal agencies a list of budget cuts sufficient to reduce department spending by 5.0% in fiscal year 2008-2009.”.

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

Rep. Booher moved to amend the bill as follows:

1. Amend page 31, following line 18, by inserting:

“Sec. 807. The department shall proscribe treatment on 63,000 acres, pursuant to section 804. It is the intent of the legislature that the fiscal year 2009-2010 appropriation for the forest and timber treatments line item will be \$2,000,000.00 less than the executive budget recommendation for the fiscal year ending September 30, 2010 if the target proscription for fiscal year 2008-2009 is not met.”.

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

Rep. Booher moved to amend the bill as follows:

1. Amend page 11, line 7, by striking out “125.0 FTE positions 16,173,900” and inserting “130.0 FTE positions..... 15,173,900”.

2. Amend page 11, line 27, by striking out “24,270,500” and inserting “23,270,500” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 31, following line 18, by inserting:

“Sec. 807. If the department has prepared for harvest 31,500 acres by April 1, 2009 an additional \$500,000.00 shall be appropriated from the forest development fund for forest and timber treatments. If the department has prepared for harvest 63,000 acres by July 1, 2009 an additional \$500,000.00 shall be appropriated from the forest development fund for forest and timber treatments.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Roll Call No. 483**Yeas—67**

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

Nays—40

Acciavatti	Emmons	Law, David	Pavlov
Agema	Green	Meekhof	Pearce
Amos	Hildenbrand	Meltzer	Proos
Brandenburg	Hoogendyk	Moolenaar	Robertson
Calley	Horn	Moore	Schuitmaker
Casperson	Huizenga	Moss	Shaffer
Caswell	Hune	Nitz	Sheen
Caul	Jones, Rick	Nofs	Stahl
DeRoche	Knollenberg	Palmer	Stakoe
Elsenheimer	LaJoy	Pastor	Wenke

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 1095, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Rep. Horn moved to amend the bill as follows:

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

“Budgetary savings.....	(79,130,300)
Law enforcement grants	<u>79,130,300”</u>

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 29, following line 6, by inserting:

“Sec. 231. (1) The negative appropriations in part 1 for budgetary savings shall be satisfied by savings identified by the department and transferred from other lines under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393 in accordance with this section. Identified savings and transfers shall not be the result of any of the following:

- (a) Reductions to correctional officer staffing.
- (b) Changes in the parole process.
- (c) A reduction to the appropriation for law enforcement grants.

(2) Funds appropriated in part 1 for law enforcement grants shall be used for grants to counties, cities, villages, and townships for the purpose of hiring additional law enforcement officers. Funds appropriated for law enforcement grants that remain unexpended at the end of the fiscal year shall not lapse to the general fund, but instead shall be carried forward to be spent as provided by this subsection.”.

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

Rep. Nofs moved to amend the bill as follows:

1. Amend page 73, following line 6, by inserting:

“Sec. 926. (1) Except as otherwise provided by this section, the department shall impose a 20% surcharge on all items purchased by prisoners in state facilities. The 20% surcharge shall be separate from and in addition to any other surcharge or mark-up imposed on goods purchased by prisoners before the effective date of this section; the department may continue to mark up items as necessary to meet costs, fulfill the assumptions of part 1 regarding resident store revenue, and support prisoner benefit funds at the same level that existed prior to the effective date of this section.

(2) The following items shall be exempt from the 20% surcharge imposed under subsection (1):

- (a) Mandatory health care products.
- (b) Over-the-counter personal care products.
- (c) Hygiene products.
- (d) Stationery.
- (e) Cosmetics.

(3) If the department enters into a contract or an interagency agreement for prison store operations, the department shall ensure that the contract or interagency agreement provides for prison store revenues sufficient to make available the amount of additional revenue that otherwise would have been generated under subsections (1) and (2).

(4) The department shall distribute the total of the revenues generated or made available under this section quarterly as provided by this subsection. Forty-five percent of the funds generated under this section shall be retained by the department to defray costs of prison store operations. Fifty-five percent of the funds generated under this section shall be remitted to the state treasurer for deposit in the trooper recruit school fund created under section 819b of the Michigan vehicle code, 1949 PA 300, MCL 257.819. Funds generated under this section and designated for the trooper recruit school fund may be appropriated only for training new state police trooper recruits and may not be appropriated for any other purpose.

(5) The department shall increase the maximum amount, if any, of money or scrip that prisoners are allowed to spend, in accordance with this section.”.

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 29, following line 6, by inserting:

“Sec. 231. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall:

(a) Implement a spending plan for fiscal year 2008-2009 which incorporates a 5.0% reduction from the dollars appropriated in part 1.

(b) Provide the senate and house appropriations subcommittees on corrections and the senate and house fiscal agencies a list of budget cuts sufficient to reduce department spending by 5.0% in fiscal year 2008-2009.”.

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 3, line 21, by striking out all of line 21 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 3, line 22, by striking out “3,068,000” and inserting “12,272,100” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 42, line 19, by striking out all of section 414 and inserting:

“Sec. 414. (1) The department shall administer a county jail reimbursement program from the funds appropriated in part 1 for the purpose of reimbursing counties for housing in jails felons who otherwise would have been sentenced to prison.

(2) The county jail reimbursement program shall reimburse counties for housing and custody of convicted felons if the conviction was for a crime committed on or after January 1, 1999 and 1 of the following applies:

(a) The felon’s sentencing guidelines recommended range upper limit is more than 18 months, the felon’s sentencing guidelines recommended range lower limit is 12 months or less, the felon’s prior record variable score is 35 or more points, and the felon’s sentence is not for commission of a crime in crime class G or crime class H under chapter XVII of the code of criminal procedure, 1927 PA 175, MCL 777.1 to 777.69.

(b) The felon’s minimum sentencing guidelines range minimum is more than 12 months.

(3) State reimbursement under this section for prisoner housing and custody expenses per diverted offender shall be \$43.50 per diem for up to a 1-year total.

(4) From the funds appropriated in part 1 for the county jail reimbursement program, the department shall conduct an ongoing study to determine the impact of the new legislative sentencing guidelines. The study shall analyze sentencing patterns of jurisdictions as well as future patterns in order to determine and quantify the population impact on prisons and jails of the new guidelines as well as to identify and define felon or crime characteristics or sentencing guidelines scores that indicate a felon is a prison diversion. The department shall conduct a local and statewide study for this purpose and provide periodic reports regarding the status and findings of the study to the house and senate appropriations subcommittees on corrections, the house and senate fiscal agencies, and the state budget director.

(5) The department, the state budget office, the Michigan association of counties, and the Michigan sheriffs’ association shall review the periodic findings of the study required in subsection (4) and, if appropriate, recommend modification of the criteria for reimbursement contained in subsection (2) at meetings convened by the chairs of the house and senate appropriations subcommittees on corrections.

(6) The department shall reimburse counties for offenders in jail based upon the reimbursement eligibility criteria in place on the date the offender was originally sentenced for the reimbursable offense.

(7) County jail reimbursement program expenditures shall not exceed the amount appropriated in part 1 for the county jail reimbursement program. Payments to counties under the county jail reimbursement program shall be made in the order in which properly documented requests for reimbursements are received. A request shall be considered to be properly documented if it meets MDOC requirements for documentation. The department shall by October 15, 2008 distribute the documentation requirements to all counties.”.

4. Amend page 45, line 2, by striking out all of section 414a.

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 29, following line 6, by inserting:

“Sec. 231. From the funds appropriated in part 1, the department shall develop, post, and maintain on a user friendly and publicly accessible Internet site all expenditures made by the agency within a fiscal year. The posting shall include the purpose for which the expenditure was made.”.

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

Rep. Proos moved to amend the bill as follows:

1. Amend page 16, line 6, by striking out all of sections 207 and 207a.

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

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 62, following line 19, by inserting:

“(3) Funds appropriated in part 1 of this act shall not be expended on a contract for prisoner health care if only 1 competitive bid was received in response to the request for proposals for that contract. It is the intent of the legislature that if only 1 competitive bid is received in response to the request for proposals, the bid process shall not proceed and a new request for proposals shall be issued.”.

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

Rep. Hammel moved to amend the bill as follows:

1. Amend page 44, line 20, by striking out all of subsection (8).

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

Point of Order

Rep. Hildenbrand requested a ruling of the Chair on why the clerk did not accept a properly formatted amendment that the clerk has accepted at least 2 times before?

One, is it the position of the Chair that it is the clerk's job to make sure amendments are properly formatted and all other questions are the prerogative of the Chair regarding amendments and subs and the Chair's job to rule if an amendment is germane?

Two, how does the Chair plan to proceed and rule on these issues in the future?

The Chair ruled yes.

Rep. Proos moved to amend the bill as follows:

1. Amend page 29, following line 6, by inserting:

“Sec. 231. As a condition of spending funds in part 1 on the care and control of foreign-born prisoners, the department shall cooperate with United States immigration and customs enforcement to maximize the number of illegal aliens committed to the department who are released to federal custody and subsequently deported.”.

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 73, following line 6, by inserting:

“Sec. 926. It is the intent of the legislature that the department of corrections and the department of human services examine the potential of entering into an intergovernmental agreement to place up to 140 children in the west wing of the Woodland center and in the Sequoyah center on the campus of the W.J. Maxey training school. The facilities shall be used to house children currently committed to the department of corrections.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1095, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Roll Call No. 484

Yeas—60

Accavitti
Angerer
Bauer
Bennett
Bieda

Coulouris
Cushingberry
Dean
Dillon
Donigan

Jackson
Johnson
Jones, Robert
Lahti
Law, Kathleen

Nofs
Polidori
Sak
Scott
Sheltrown

Brown	Ebli	LeBlanc	Simpson
Byrnes	Espinoza	Leland	Smith, Alma
Byrum	Farrah	Lemmons	Smith, Virgil
Caswell	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayer	Tobocman
Clack	Griffin	McDowell	Vagnozzi
Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young

Nays—47

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

In The Chair: Sak

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

Reps. Meekhof and Meltzer, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted against Senate Bill 1095 because Democrat leaders violated rules of the House and trampled the rights of the minority party when considering this bill.

Republicans were denied the opportunity to debate this bill on the floor. Properly offered amendments were blatantly ignored, in violation of House rules. Democrats continued to violate House rules by refusing to allow properly offered points-of-order.

Democrats then used the office of the Clerk of the House to avoid issuing a ruling from the chair. By abusing their power in this way, Democrats are corrupting the impartiality and non-partisan nature of the Clerk’s office.

For these reasons, I cannot support these bills at this time.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
Senate Bill No. 1093, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to establish or continue certain funds,

programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 5, 2008

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

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

Second Reading of Bills

Senate Bill No. 1093, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 7, following line 22, by inserting:

“Sec. 231. In light of sections 1, 3, and 4 of 1846 RS 83, MCL 551.1, 551.3, and 551.4, and section 1 of 1939 PA 168, MCL 551.271, the legislature intends that a community college receiving funding under this act shall not use part 1 money to extend employee benefits to the unmarried partners of the community college’s employees except for pre- and post-natal costs.”.

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 7, following line 22, by inserting:

“Sec. 230. (1) A community college shall not expend money appropriated under this act to provide health care coverage for community college employees or their dependents for abortion services, other than for spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed. A community college shall not approve a collective bargaining agreement or enter into any other employment contract that includes health care coverage for abortion services other than spontaneous abortion or to prevent the death of the woman upon whom the abortion is performed.

(2) If a community college expends money appropriated under this act in violation of subsection (1), the community college shall repay to this state an amount equal to the amount of money spent in violation of subsection (1).”

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

Rep. DeRoche moved to amend the bill as follows:

1. Amend page 9, following line 10, by inserting:

“Sec. 244. It is the intent of the legislature that one-third of the funding increase from fiscal year 2007-2008 to fiscal year 2008-2009 provided to each community college be utilized to assist those students who age-out of foster care and attend a Michigan community college with the cost of tuition.”.

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 9, following line 22, by inserting:

“Sec. 248. A community college receiving an appropriation in part 1 shall develop, post, and maintain a user friendly and publicly accessible Internet site, with all expenditures made by the college within a fiscal year. The posting must include the purpose for which each expenditure is made. The colleges may use, as a model for such reporting, the college portrait web reporting template in an effort to better improve university transparency and to further identify effective educational practices.”.

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 9, following line 22, by inserting:

“Sec. 248. A community college that receives an appropriation under this act shall not reduce or discount the net tuition and fees paid by an individual illegally residing within this country below the standard nonresident tuition and fee rate charged by that institution.”.

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

Rep. Moore moved to amend the bill as follows:

1. Amend page 3, line 3, by striking out “\$4,496,400” and inserting “\$4,626,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Hune moved to amend the bill as follows:

1. Amend page 9, following line 10, by inserting:

“Sec. 244. It is the intent of the legislature that, for fiscal year 2008-2009, a community college receiving funds in part 1 reduce its tuition and fee rate for a full-time student from the rate that would otherwise be imposed by an amount equal to the increased annual tax liability for a median household in the college’s district resulting from the increase in the state income tax rate from 3.90 to 4.35.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1093, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Roll Call No. 485**Yeas—63**

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

Nays—44

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

In The Chair: Byrnes

The House agreed to the title of the bill.
 Rep. Angerer 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.

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

Rep. Angerer moved to suspend that portion of Rule 41 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Angerer moved that when the House adjourns today it stand adjourned until Tuesday, June 10, at 1:30 p.m. The motion prevailed.

Reps. Sak, Ball, Bieda, Brandenburg, Brown, Byrnes, Clack, Condino, Constan, Dean, Gonzales, Hammon, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Mayes, Melton, Miller, Polidori, Rocca, Schuitmaker, Sheltroun, Spade, Tobocman, Vagnozzi, Warren, Hammel and Meadows offered the following resolution:

House Resolution No. 385.

A resolution to memorialize the Congress of the United States to reauthorize the Great Lakes Legacy Act.

Whereas, Toxic hot spots created from past industrial and other activities continue to plague the Great Lakes and associated fish and wildlife decades later. In particular, contaminated sediments prevent the full use and enjoyment of the 30 remaining Areas of Concern (AOCs) designated within U.S. waters, including 14 areas within Michigan waters. To protect the public health, contamination necessitates limitations on eating fish, swimming, and drinking water in one of our nation's natural treasures; and

Whereas, The Great Lakes Legacy Act provided vital federal support to clean up the Areas of Concern over the last five years. Using approximately \$126.5 million in federal funding to match state and local dollars, nearly 800,000 cubic yards of heavily contaminated sediments were removed from sites within five Areas of Concern, including three within Michigan. These actions facilitated the restoration of these waters to productive habitat and use. However, as much as 75 million cubic yards of contaminated sediments at 75 sites within Areas of Concern still require cleanup; and

Whereas, The Great Lakes Legacy Act of 2008 (S. 2994) would continue this successful program to restore the Great Lakes to their full grandeur. As recommended in the recent collaborative strategy to restore and protect the Great Lakes, the act would extend the current authorization for cleanup funding for an additional 5 years, triple the dollars that could be appropriated to \$150 million per year, and provide greater flexibility to use the funding. At this funding level, great strides would be made to achieve the goal of cleaning up all known contaminated sediments in the Great Lakes Areas of Concern by 2020; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to reauthorize the Great Lakes Legacy Act; and be it further

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

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

Reps. Espinoza, Condino, Polidori, Accavitti, Ball, Bieda, Booher, Brandenburg, Brown, Byrnes, Clack, Constan, Dean, Gonzales, Hammon, Hansen, Robert Jones, LeBlanc, Leland, Lemmons, Marleau, Mayes, Melton, Miller, Nitz, Palmer, Pastor, Pavlov, Pearce, Proos, Sak, Sheltroun, Spade, Stahl, Tobocman, Vagnozzi, Warren, Hammel and Meadows offered the following resolution:

House Resolution No. 386.

A resolution congratulating St. Clair County Community College on its 85th anniversary.

Whereas, It is with great pleasure that this legislative body join the entire state of Michigan in congratulating St. Clair County Community College on its 85th anniversary. St. Clair County Community College has served the citizens of Michigan by providing access to the latest information and technological resources, professional and knowledgeable faculty and staff, and, above all, quality and affordable educational opportunities for thousands of individuals; and

Whereas, St. Clair County Community College was established when the Port Huron Area School District approved the establishment of Port Huron Junior College on June 11, 1923 with one building and 34 students in the initial class. Since that time, the community and the college have grown hand in hand expanding to ten buildings and serving the needs of thousands of students from across the globe each and every year; and

Whereas, Under consistent and strong leadership from faculty and staff, St. Clair County Community College has expanded its curriculum to now offer 40 different degrees and a multitude of workforce training and certificate programs while coupling with multiple partner universities to provide graduate level programs to the community. Over the decades, St. Clair County Community College has established itself as a competitive educational institution with an exciting and promising future benefiting the residents of this state; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate St. Clair County Community College its 85th anniversary.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 51.76.

Reps. LeBlanc, Farrah, Brandenburg, Byrnes, Clack, Condino, Constan, Dean, Gonzales, Robert Jones, LaJoy, Leland, Lemmons, Marleau, Mayes, Melton, Pastor, Polidori, Sak, Sheltroun, Spade, Vagnozzi, Hammel and Meadows offered the following concurrent resolution:

House Concurrent Resolution No. 86.

A concurrent resolution relative to secondary road patrol funds for certain communities in Oakland and Wayne Counties.

Whereas, Section 76 of Chapter 14 of the Revised Statutes of 1846, being MCL § 51.76, as added by 1978 PA 416, permits secondary road patrol services to be provided by county sheriff departments to cities and villages. This section also provides that a secondary road patrol agreement is void if the city or village reduces the number of sworn law enforcement officers below the highest number employed at any time within the immediately preceding 36 months, unless the Michigan Legislature, by concurrent resolution, recognizes that the reduction was due to cuts in general services due to economic conditions; and

Whereas, Indeed, subsection 3 of MCL § 51.76 specifically provides, in part, that: "A concurrent resolution adopted by a majority vote of the Senate and the House of Representatives which states that the city or village is required to reduce general services because of economic conditions and is not reducing law enforcement services shall be presumptive that the city or village has not violated the strictures of this subsection"; and

Whereas, In Oakland and Wayne Counties, city and village general services have been reduced as a result of serious economic difficulties. These reductions in services have occurred in direct reaction to economic conditions; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That cities and villages in Oakland and Wayne Counties have been required to reduce general services because of economic conditions and are not reducing law enforcement services as stipulated in section 76 of Chapter 14 of the Revised Statutes of 1846, as added by 1978 PA 416; and be it further

Resolved, That cities and villages in Oakland and Wayne Counties have met the necessary terms of their agreements for secondary road patrol services.

The concurrent resolution was referred to the Committee on Regulatory Reform.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, June 5, for her approval of the following bills:

Enrolled House Bill No. 4216 at 10:06 a.m.

Enrolled House Bill No. 4749 at 2:52 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 5:

House Bill Nos. 6199 6200 6201 6202 6203

The Clerk announced that the following Senate bills had been received on Thursday, June 5:

Senate Bill Nos. 519 974 978 980 1206 1239

Messages from the Senate

Senate Bill No. 519, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2006 PA 457.

The Senate has passed the bill.

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

Senate Bill No. 974, entitled

A bill to amend 1978 PA 255, entitled "Commercial redevelopment act," by amending sections 3, 4, 12, and 18 (MCL 207.653, 207.654, 207.662, and 207.668), section 3 as amended by 1980 PA 407, section 12 as amended by 1998 PA 243, and section 18 as amended by 1984 PA 342, and by adding section 12a.

The Senate has passed the bill.

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

Senate Bill No. 978, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1907 (MCL 324.1907), as added by 1995 PA 60.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Senate Bill No. 980, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2007 PA 116.

The Senate has passed the bill.

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

Senate Bill No. 1206, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 10 (MCL 125.2686 and 125.2690), section 6 as amended by 2006 PA 304 and section 10 as amended by 2008 PA 117.

The Senate has passed the bill.

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

Senate Bill No. 1239, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 96.

The Senate has passed the bill.

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

Messages from the Governor

Date: June 5, 2008

Time: 1:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4965 (Public Act No. 150, I.E.), being

An act to authorize the state administrative board to convey certain interests in property in Kalkaska county; and to provide for disposition of the revenue derived from the conveyance.

(Filed with the Secretary of State June 5, 2008, at 3:10 p.m.)

Date: June 5, 2008

Time: 1:48 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5539 (Public Act No. 154, I.E.), being

An act to amend 1996 PA 381, entitled "An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing,"

(MCL 125.2651 to 125.2672) by adding section 15a.

(Filed with the Secretary of State June 5, 2008, at 3:16 p.m.)

Date: June 5, 2008
Time: 1:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5540 (Public Act No. 155, I.E.), being

An act to amend 1986 PA 281, entitled “An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing,” (MCL 125.2151 to 125.2174) by adding section 11b.

(Filed with the Secretary of State June 5, 2008, at 3:20 p.m.)

Date: June 5, 2008
Time: 1:52 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5541 (Public Act No. 156, I.E.), being

An act to amend 1980 PA 450, entitled “An act to prevent urban deterioration and encourage economic development and activity and to encourage neighborhood revitalization and historic preservation; to provide for the establishment of tax increment finance authorities and to prescribe their powers and duties; to authorize the acquisition and disposal of interests in real and personal property; to provide for the creation and implementation of development plans; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to permit the issuance of bonds and other evidences of indebtedness by an authority; to permit the use of tax increment financing; to reimburse authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state agencies and officers,” (MCL 125.1801 to 125.1830) by adding section 12b.

(Filed with the Secretary of State June 5, 2008, at 3:22 p.m.)

Date: June 5, 2008
Time: 1:54 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5542 (Public Act No. 157, I.E.), being

An act 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,” (MCL 125.1651 to 125.1681) by adding section 13c.

(Filed with the Secretary of State June 5, 2008, at 3:24 p.m.)

Date: June 5, 2008
Time: 1:56 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4184 (Public Act No. 158, I.E.), being

An act to amend 1953 PA 232, entitled “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,” by amending section 34a (MCL 791.234a), as amended by 1998 PA 315; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 5, 2008, at 3:26 p.m.)

Introduction of Bills

Rep. Bieda introduced

House Bill No. 6204, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” by amending section 433 (MCL 208.1433), as amended by 2007 PA 215.

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

Rep. Byrnes introduced

House Bill No. 6205, entitled

A bill to amend 1975 PA 222, entitled “Higher education loan authority act,” by amending section 5 (MCL 390.1155), as amended by 2002 PA 547.

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

Rep. Meisner introduced

House Bill No. 6206, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88a (MCL 125.2088a), as amended by 2006 PA 639.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Palsrok introduced

House Bill No. 6207, entitled

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

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Clemente introduced

House Bill No. 6208, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88d (MCL 125.2088d), as amended by 2008 PA 80.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Gonzales introduced

House Bill No. 6209, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88k (MCL 125.2088k), as added by 2005 PA 215.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Hildenbrand introduced

House Bill No. 6210, entitled

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” by amending section 88l (MCL 125.2088l), as added by 2005 PA 215.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Rep. Calley introduced

House Bill No. 6211, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111), as amended by 2007 PA 207.

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

Rep. Calley introduced

House Bill No. 6212, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 3 of chapter XI (MCL 711.3), as added by 2000 PA 111.

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

Rep. Sak introduced

House Bill No. 6213, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 811d and 811e (MCL 257.811d and 257.811e), as amended by 2006 PA 562.

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

Reps. Hopgood, Byrnes, Bauer, Byrum, Spade, Melton, Mayes, Polidori and Dean introduced

House Bill No. 6214, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74g.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Johnson, Byrnes, Bauer, Byrum, Spade, Melton, Hopgood, Mayes, Polidori and Dean introduced

House Bill No. 6215, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74f.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Dean, Byrnes, Byrum, Bauer, Spade, Melton, Hopgood, Mayes and Polidori introduced

House Bill No. 6216, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74d.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Byrum, Byrnes, Bauer, Spade, Melton, Hopgood, Mayes, Polidori and Dean introduced

House Bill No. 6217, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74c.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Spade, Byrnes, Bauer, Byrum, Melton, Hopgood, Mayes, Polidori and Dean introduced

House Bill No. 6218, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74h.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Byrnes, Bauer, Byrum, Spade, Melton, Hopgood, Mayes, Polidori and Dean introduced

House Bill No. 6219, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74b.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Corriveau, Byrnes, Bauer, Byrum, Spade, Melton, Hopgood, Mayes, Polidori and Dean introduced

House Bill No. 6220, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74e.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Reps. Melton, Byrnes, Byrum, Bauer, Spade, Hopgood, Mayes, Polidori and Dean introduced

House Bill No. 6221, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 74a. The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Rocca introduced

House Bill No. 6222, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 16a (MCL 207.566a), as added by 1996 PA 94.

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

Rep. Schuitmaker introduced

House Bill No. 6223, entitled

A bill to amend 1991 PA 133, entitled "An act to allow the use and recording of certain documents regarding trusts in the case of real property that is conveyed or otherwise affected by a trust; and to prescribe their effect," by amending section 3 (MCL 565.433).

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

Reps. Rick Jones, Agema, Robertson, Elsenheimer, Rocca, Steil, Knollenberg, Stahl, Mayes, LaJoy, Opsommer, Pearce, Marleau, Garfield, Hoogendyk, Sheen and Amos introduced

House Bill No. 6224, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 230 (MCL 418.230), as amended by 2002 PA 566, and by adding section 307.

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

Reps. Agema, Robertson, Elsenheimer, Rocca, Steil, Knollenberg, Stahl, Mayes, LaJoy, Opsommer, Pearce, Marleau, Garfield, Hoogendyk, Sheen, Amos and Rick Jones introduced

House Bill No. 6225, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending sections 141 and 230 (MCL 418.141 and 418.230), section 230 as amended by 2002 PA 566, and by adding section 307.

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

Reps. Young, Miller, Farrah, Warren, Jackson, Hopgood, Rick Jones, Cushingberry, Johnson, Donigan, Leland, Lemmons, Sheltroun, Gillard and Scott introduced

House Bill No. 6226, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending section 103 (MCL 37.2103), as amended by 1999 PA 202.

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

Rep. Clemente introduced

House Bill No. 6227, entitled

A bill to amend 1998 PA 284, entitled "Clean Michigan initiative act," by amending sections 4 and 7 (MCL 324.95104 and 324.95107), and by adding sections 1a, 2a, 4a, 5a, 6a, and 7a.

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

Rep. Bennett introduced

House Bill No. 6228, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 19607, 19608, 19608a, 19613, and 19614 (MCL 324.19607, 324.19608, 324.19608a, 324.19613, and 324.19614), sections 19607,

19613, and 19614 as added by 1998 PA 288, section 19608 as amended by 2003 PA 252, and section 19608a as added by 2003 PA 253.

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

Rep. Hansen moved that the House adjourn.

The motion prevailed, the time being 7:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 10, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives